



# **REPORT**

of the

## **DELEGATES OF INDIA**

to the

### **TWELFTH (ORDINARY) SESSION OF THE ASSEMBLY**

of the

### **LEAGUE OF NATIONS**

(1931).

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**REPORT OF THE DELEGATES OF INDIA TO THE TWELFTH  
(ORDINARY) SESSION OF THE ASSEMBLY OF THE  
LEAGUE OF NATIONS, 7th—29th SEPTEMBER 1931.**

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**Composition of the Indian Delegation.**

**DELEGATES.**

Sir Brojendra L. Mitter, Kt., Leader of the Delegation (Law Member of the Governor-General's Executive Council).

Khan Bahadur Diwan Abdul Hamid, C.I.E., O.B.E. (Diwan, Kapurthala State).

Sir Denys Bray, K.C.S.I., K.C.I.E., C.B.E. (Member of the Council of India).

**SUBSTITUTE DELEGATES.**

Sir Jehangir Cooverjee Coyajee, Kt. (Professor, Presidency College, Calcutta).

Rao Bahadur Sir Annepu Parashuramadas Patro, Kt. (former Minister for Education, Excise, Public Works and Registration, Madras).

Dr. Lodhi Karim Hyder (Professor, Muslim University, Aligarh).

**SECRETARY.**

Mr. G. Graham Dixon.

**PRIVATE SECRETARY TO KHAN BAHADUR DIWAN ABDUL HAMID.**

Khan Bahadur Sardar Habibullah Khan (Member of the Punjab Legislative Council).

**General Remarks.**

1. Perhaps no Assembly has met in less encouraging circumstances than those of September 1931. On the one hand its meeting was overshadowed by an unprecedented economic crisis and on the other by a growing financial crisis, while discussion of the problem of disarmament seemed bound to savour of unreality in view of the general preoccupation with the forthcoming Disarmament Conference. To none of these three great problems could the Assembly be reasonably expected to furnish an answer. An air of depression therefore surrounded its opening sessions, and it soon became clear that, both on this account and because of the present domestic problems with which the ministries of most countries were faced, the Assembly would be short-lived. It would, in fact, have concluded in three weeks had not the Italian proposal for an Armaments Truce made it necessary to prolong the proceedings for a further two days.

2. The League organisations had expended much time and money in the course of the year in the study of economic and financial problems, but the mass of their output failed to conceal their inability to suggest remedies, and in the limited time at its disposal the Assembly was able to do little more than grope among accumulated statistics, though an attempt to secure agreement upon a constructive economic policy was made by the Indian Delegation.

3. The general depression was not lightened by the sudden decision of His Majesty's Government in the United Kingdom to abandon the gold standard, though the fact that the Assembly was sitting enabled Sir Arthur Salter to make an important public statement of the British Government's position.

4. Towards the end of the proceedings the Italian Delegation produced a concrete proposal for a 12 months' Armaments Truce, a proposal foreshadowed in the speech with which Signor Grandi opened the general debate, and it seemed that a hitherto sterile Assembly might produce a wholly unexpected achievement. The proposal in its original form was, however, defeated by French opposition. Finally the Assembly was placed in a difficult position by the outbreak of the dispute between China and Japan over Manchuria. The Assembly is not a super-State nor an executive government, and depends for its achievements agreement, and for its force upon the will of the individual Governments represented. The occurrence of a sudden dispute during the sitting of so large a body is always bound productive of embarrassment. Fortunately neither party to this particular dispute had its grievances before the Assembly, and the Council remained in session after the Assembly to deal with the question.

The matter which was bound to engage the attention of the Assembly was the plight owing upon the great floods. One result of the Chinese disaster was to silence the large sums already proposed to be devoted to the assistance of China in other. Further, the Assembly passed a resolution calling upon States neighbouring

upon China to come to her assistance so far as might be within their power. The Indian Delegation was not in a position to make an announcement of any substantial contribution from the Government of India, but there is little doubt of the enhancement of India's prestige that would result from the despatch to China of a small medical mission.

6. Noteworthy events of the Twelfth Session were the acceptance by Mexico of an invitation to join the League and the participation of representatives of the Government of the United States of America, Turkey and other States outside the League in the consideration by the Third Committee of the Italian proposals for the Armaments Truce.

7. The Indian Delegation found many outlets for activity at the 12th Assembly, and it is particularly noteworthy that on this occasion the position of India was recognised to a greater extent than has previously been the case in respect of appointment to the various special committees set up by the Assembly. In Committee V the Diwan Abdul Hamid was elected to the Sub-Committee which dealt with Slavery. Dr. Hyder was elected to the Agenda Committee of the Assembly, which consists of only seven members. He was selected by the Committee to be its Vice-Chairman and was subsequently elected Chairman in place of M. Bellegarde (Haiti), whom it had been decided for reasons of long association with Geneva to make Chairman, but who was prevented from coming to the Assembly. This important appointment carried with it membership of the General Committee, or Bureau, of the Assembly. Sir J. C. Coyajee was elected member of the drafting Committee of Committee VI appointed to draw up a report on the Commission for European Union. Sir A. P. Patro was elected to a Sub-Committee of Committee I appointed to draw up a report on the Nationality of Married Women, and to a Sub-Committee of Committee IV which dealt with the question of contributions to the expenses of the League which are still in arrears. Finally, India was one of the overseas States invited to sit on a Special Committee to be convened by the Council to study the question of a Pact of Economic Non-Aggression. Between 20 and 30 speeches were made by the Indian delegates, and some account of the principal of these will be found in the sections of this Report dealing with the Committees' proceedings. Sir B. L. Mitter, who sat on Committee I, also spoke twice in the full Assembly (see General Debate).

#### Opening Session and Elections.

8. His Excellency M. Titulesco, Delegate for Roumania and Roumanian Minister in London, was elected President for the second year in succession, winning a narrow victory by 25 votes to 21 over the veteran Count Apponyi of Hungary. This was the first occasion on which the interests of efficiency had triumphed over those of national sentiment in this election, and may be taken as a good augury for success in the attempts likely to be made in the near future to break down the intense nationalism which at present prevails in the matter of the election of the non-permanent members of the League Council.

9. The inaugural address before the election of the President was delivered by Senor Lerroux, the Foreign Minister of Spain and President of the Council. He reviewed the League's activities during the past year, in which the work of the Preparatory Disarmament Commission had been completed, and noted that the Government of Mexico had taken part in the Maritime Conference. At the conclusion of his speech it was announced that the Governments of Great Britain, France, Germany, Spain, Italy, and Japan proposed that the Assembly should invite Mexico to become a Member of the League and thus repair the omission of not having included her in the first instance as an original member. This invitation, adopted by the Assembly in a resolution, was accepted, and a representative of Mexico, Don Emilio Portes Gil, a former President of Mexico and now Minister in Paris, later took his place in the Assembly.

10. The election of Vice-Presidents resulted in the choice of M. Briand (France), Lord Cecil (British Empire), M. Yoshizawa (Japan), Dr. Curtius (Germany), Count Apponyi (Hungary), and Dr. Restrepo (Columbia). The Chairmen of the six main Committees were as follows:—

Committee.	Chairman.
First (Constitutional Questions)	- M. Scialoja (Italy).
Second (Technical Organisation)	- M. Janson (Belgium).
Third (Disarmament)	- M. Munch (Denmark).
Fourth (Secretariat and Finance)	- M. Politis (Greece).
Fifth (Social and Humanitarian)	- Khan Ala (Persia).
Sixth (Political)	- M. Motta (Switzerland).

11. At the election to choose three States as non-permanent members of the Council for the next three years, China, Panama, and Spain were successful with 48, 45, and 43 votes respectively. Mexico, Portugal, and Hungary received two votes each and Belgium and Bulgaria one each. Guatemala had announced her intention of withdrawing from the Council for financial reasons, but on being pressed to stay decided to do so, and possible complications in the election of the non-permanent members were thus avoided.

12. It may be added here that in the elections for the two vacant places on the Supervisory Commission which took place in Committee IV, Lord Meston of Agra was re-elected with 30 votes and Mr. Hambro with 19.

### General Debate.

13. Though general statements on the subject of disarmament had been expected to form the leaven of the general debate, the Assembly was hardly prepared for concrete proposals. It was therefore surprised by a very definite suggestion for an immediate "real and effective truce in armaments" made by Signor Grandi, the Italian Minister for Foreign Affairs, in the speech with which he opened the discussion. He did not elaborate the idea, merely commanding it "to the most serious attention" of the Assembly; but it was interpreted as a proposal that every country which has promised to attend the Conference in February, including, of course, non-League States, should suspend its programme of construction, and undertake to abstain from making any increase in naval, military, or air armaments. Signor Grandi also suggested that any non-League State which wished to do so should be invited to take part in the deliberations.

14. It was the first time that Signor Grandi had addressed the Assembly. He defined the attitude of the Fascist Government towards most of the problems now before the League. His Government, he said, favoured the approximation of the Covenant to the terms of the Kellogg Pact, but it was necessary to be prudent because "juridical institutions had not yet penetrated into the inner consciences of the nations." But arbitration, renunciation of solutions by force, and the readjustment of military strength at new minimum levels were not mere doctrinaire-theories. The peoples did demand a collective effort to secure international justice and protection from the dangers of a policy of armaments. Even the problem of inter-Governmental financial obligations was morally related to that of armaments. A new settlement of war debts would be useless so long as competition in armaments continued. Even the economic barriers which countries put up against one another were not wholly unrelated to armaments, because they were partly due to a feeling of political insecurity. Disarmament was, in fact, the most urgent task before the League, and would be the starting-point of a new relationship between nations. The King of Italy had just signed the General Act for the Pacific Settlement of International Disputes, and his Government would adhere to the Convention for reinforcing the means of preventing war (which is to come before this Assembly) if it were approved by the Assembly. The action of individual States, Signor Grandi continued, was not enough nowadays; but small groups of nations were no better. It was difficult to find the exact equilibrium between the private interests of each State and the organic welfare of all, but, as the President of the Assembly had said yesterday, the present crisis had given birth to spontaneous sentiments of solidarity, which they should make the basis of a vast, durable structure.

15. It at once became clear that the issue of armaments had been raised in an immediate form, and there was considerable evidence of excitement as to the nature of the speeches that would be made on behalf of France and Germany. A wise move was made by the interposition of Lord Cecil, who possesses an unrivalled authority and affection at Geneva. He addressed the Assembly at the morning session of the 10th September in a speech unlikely to be forgotten by any of his hearers. He began by referring to the specific activities of the League, such as the abolition of slavery and the refugee work of the newly founded Nansen International Office, and announced his intention of moving a resolution in favour of reconsidering the present method of electing members to the League Council. He then came to the economic and financial part of his speech, declaring that the "dominating need of the moment" was to revive international investment. Unless the recommendations of the experts received proper attention, he said, "one country after another, both in Europe and oversea, will be forced into some form or other of extending moratoria which may endanger the whole system on which the economic life of the world is based." The German position was critical, but the present crisis was not only due to doubts as to the debtors' capacity to pay, but also to anxiety as to the political position. He was not going to advocate a general revision of treaties, and he did not think there was the slightest prospect of war. But there was present in most countries an atmosphere of internal unrest which was made worse by the inflammatory speeches of demagogues.

16. He then read out, amid a silence and attention rarely accorded to newspaper extracts, certain reports of umpires in recent air manoeuvres, indicating the devastating effect upon the civil population of future war in the air, and showing plainly that aircraft was essentially an aggressive arm providing no means of defence, but at most a means of reprisal.

17. He then turned to Signor Grandi's "most interesting suggestion" of a truce in arms, with which he fully agreed. To renounce an increase of armaments now would make an admirable preface to the Disarmament Conference, as to which he said no Government, least of all the British Government, could tolerate for a moment any proposal for postponement of the Conference. He earnestly hoped that a concrete resolution to give effect to the Italian suggestion would be laid before the Third (Disarmament) Committee.

18. Lord Cecil concluded with an earnest appeal for a *rapprochement* between France and Germany. It was, he declared, a gross libel on Great Britain to suppose that she was anxious

to see those two great countries in hostility. A *rapprochement* between them, not in words but in action, would remove, he believed, 75 per cent. of the political unrest of the world.

19. M. Briand spoke on the 11th September, and although his speech made it clear by implication that the French attitude regarding disarmament remained unchanged, there is little doubt that he had been influenced in the direction of mildness by Lord Cecil's speech. His speech amounted to little more than an expression of belief in the League of Nations, though he did announce that France had no desire to put off the date of the opening of the Disarmament Conference and corroborated Lord Cecil's repudiation of the suggestion that Great Britain wished to foster hostility between France and Germany.

20. The German speech was delivered on the 13th September by Dr. Curtius, who endeavoured to disguise hard words to France and the League by a preliminary discussion of the economic and financial situation. In the first half of his speech Dr. Curtius's main point was that the task was a double one, internal and international. Each country must set its own affairs in order, but co-operative measures were also absolutely necessary. He commended the report made by the experts to the European Commission, which ought to constitute a new point of departure. But it would be a great mistake to leave out of account the extra-European nations, and he would like to see the League giving more attention to them. The agricultural crisis was even more acute than the industrial. He paid a tribute on behalf of his Government to President Hoover, and said that the war debt payments, which had no economic counterpart, had greatly aggravated the trouble. Movements of capital from rich to poor countries had not only ceased, but the rich were actually calling in the short-term credits which they had lent. The gold was being sterilised. There were many bank failures. The maintenance of the gold standard was no longer certain. Unemployment had created an army of discouraged and desperate men, who were only too susceptible to extremist and revolutionary influences. Nobody could conceal from himself the fact that the ground on which the present economic and monetary system rested was trembling.

21. Coming to the real matter of his speech, he declared that the German people suffered from a feeling of oppression through being defenceless before neighbours who were powerfully armed. The principle applied quite particularly to armaments. At present there was complete inequality. Germany possessed no heavy artillery, no military aeroplanes, no tanks, and no submarines. An effective reduction of the armaments of the countries that were powerfully armed, therefore, constituted for Germany an indispensable condition for the success of the Disarmament Conference next year.

22. Dr. Curtius welcomed Signor Grandi's idea of an "armament truce," which he claimed that Germany had in fact anticipated as regards herself by the undertaking she had given when accepting President Hoover's moratorium proposal. The League of Nations was particularly and especially responsible for disarmament, and would lose its authority if it failed in its task. Failure might, indeed, be disastrous for the League. Dr. Curtius made this point two or three times, and his words were generally interpreted as a hint that if no reduction of armaments were to be effected by the Disarmament Conference, Germany would withdraw from the League.

23. No financial and economic measures could suffice, Dr. Curtius argued, unless political confidence were restored between the nations, and he fully endorsed for his part what Lord Cecil had said about the importance of harmony between Germany and France. He hoped the coming visit of French Ministers to Berlin would contribute towards it. But he said that the relations of the two countries must be based upon equality of status. That sentiment was indeed the keynote of Dr. Curtius's speech. There must not be two sets of weights and measures in the community of nations. That principle applied to security, which could be gained rather by disarmament than by the existence of arms. Germany had been disarmed, but in some other States the promises made at Versailles had not been fulfilled.

24. The French and German speeches did not promise hopefully for the discussion of the Italian suggestion in the Third Committee, and a draft resolution put forward by a group of Scandinavian and Central European countries in the sense of Signor Grandi's proposal was therefore not strongly worded. The suggestion nevertheless remained the most alive issue before the Assembly, and its discussion formed the most important part of the work of Committee III.

25. Sir B. L. Mitter spoke twice in the opening stages of the general debate in the full Assembly. On the first occasion he spoke briefly in support of a resolution moved by Lord Cecil, expressing sympathy with China in her recent disasters. He stated that India was linked with China, not only by ties of neighbourhood, but also by those of an ancient and common civilisation, and that no representative of India could allow such an occasion to pass without a warm tribute of sympathy.

25A. He opened his second speech by stating that India was a convinced believer in the ideals of the League. She had been consistently loyal to them and was keenly anxious for their progressive realisation. He went on to join issue with those who said that little achievement could be placed to the credit side of the League's account. What was it the League was essaying to do? The war spirit which dominated nations for centuries could not be transformed, as by magician's wand, into international goodwill all at once. What the League could legitimately claim was the creation of the appropriate atmosphere. Simultaneously with the creation of that atmosphere, the League had started on a career of winning victories of peace—by fighting ignorance, disease, economic unadjustments and other maladies which afflict the body politic. Looking at the Agenda of the 12th Session of the Assembly, one could not fail to be struck by its variety and importance. He would assure the Assembly that the Indian Delegation would endeavour to make its contribution towards the solution of the problems in the spirit of comradeship and goodwill towards all.

26. The problem which loomed largest was, of course, reduction of armaments. He hoped that the Conference called for next February would achieve definite results. We all relied on the Great Powers to instal trust in the place of suspicion and to establish their moral pre-eminence as they have established their material pre-eminence. The resources, both moral and material, which would be bound to be released by such reduction would be available to prosecute vigorously the activities on which the advancement of human kind to higher and still higher planes of existence depends.

27. The problem of the world slump was no less important than the problem of disarmament. On that subject, the Indian Delegation had the privilege, last year, of moving a Resolution in the Second Committee proposing an intensive and continuous study under the auspices of the League. He was glad to find the results of the enquiry laid before the Assembly. But since last year world depression had increased in intensity. While he fully appreciated the merits of the study presented during the last year, the Indian Delegation proposed this year to recommend not only a continuation of that study, but the investigation of the means of implementing that study.

28. While speaking on this topic he might be permitted to express high appreciation of the proposals recently made by the President of the United States of America. Here was a silver lining to the cloud hanging over the world. Here was the definitive new factor in the situation for which the world had been waiting. Let us see to it that we made the most of it without cavil or quibble and with every resource of self help as a first step towards re-establishing the economic equilibrium of the world.

29. But it was always more pleasant to speak of realisation than of expectation. The co-operation between the League's Health Organisation and India promised to bear good fruit in one important field. India had been in close touch with the Far Eastern Bureau at Singapore, and the interchange of views and comparative study of problems of tropical disease were going on in the true spirit of the League for the benefit of humanity. A new milestone had been reached by the publication of the Report of the Malaria Commission, which would be of considerable value to India and others whom it might concern, by reason of the wealth of the suggestions which it contained. It was a matter of pride to India that the Report bore eloquent testimony to the study of malaria which had been carried on in India yielding important results.

30. The next topic on which Sir B. L. Mitter touched was Intellectual Co-operation. In the whole range of subjects coming before the Assembly this subject aroused a peculiar enthusiasm in a delegate from India. The past evolution of culture, education and philosophy in India qualified her in a special measure to co-operate with other countries on this plane in the development of the international spirit. While India was ready to receive new ideas, she was equally ready to bring into the common pool the experience of centuries. The whole programme of intellectual co-operation made a strong appeal to India, whether the development of inter-University relations, the international co-ordination of libraries and museums or the translation of classics. He referred to the activities of two institutions—the Asiatic Society of Bengal and the Indian Museum in Calcutta. The former by bringing out authorised versions of classics and supplying manuscripts to foreign learned societies, and the latter by exchanging specimens with sister bodies in Europe and America, were doing a signal service in the field of intellectual co-operation. It might not be out of place to mention the cosmopolitan institution established by India's poet, Rabindra Nath Tagore, at Bolpur in Bengal, the main object of which was the synthesis of the culture of the East and the West.

31. India was also keenly interested in the activities of the League in the field of Unification of Laws. India appreciated the League's efforts in the matter of the unification of the laws on bills of exchange, promissory notes and cheques. India had recently brought her law on sale of goods into line with the law of England and America and the law of the Dominions was practically the same. Here, as in fact in other branches of commercial law, the lead of the League would be warmly appreciated in India.

32. There was one aspect of the work done by the League during the past year that delegates from India found particularly satisfying. It had often fallen to the lot of the Indian Delegation to criticise the League on the ground that its activities took little account of countries east of Suez. He noted with pleasure the very substantial effort the League had made this year, and was continuing to make, to come to the rescue of that great country, China, in the midst of her troubles. He further noted the proposal to establish an Office of the League in India, which should do much to increase knowledge of the activities of the League among our population of 350,000,000. He also had to express cordial appreciation of the visit to India, under the auspices of the League, of that eminent economist, Sir Arthur Salter.

33. Nevertheless there was a note of warning that he felt he must sound. Though it was true that this year the activities of the League had covered a larger area than before, its European activities appeared to have to some extent trespassed on the purely diplomatic field. In the view of India League machinery ought not to be employed for the purpose of arriving at regional agreements in the economic sphere. No doubt the urgency of the economic crisis was accountable for this development. But Asia shared in this crisis, and, to take an example, he did not think the Agricultural Credits Company should have been set up by means of League machinery in a form limited to European countries without Asiatic countries having an opportunity of putting forward their views at this Assembly. He noted the statement in the letter from the President of the Sub-Committee of Economic Experts, printed at the head of the Report of that Committee, that all members of the Committee were anxious that the economic *rapprochement*, which they hoped to establish between the countries of Europe, far from proving harmful to the economic relations existing between Europe and the other parts of the world, would, on the contrary, have the effect of intensifying those relations and rendering them closer and more beneficial to both sides. He hoped this would indeed be the case, but so long as Asiatic countries remained outside the scope of this *rapprochement* so long must they look on with some anxiety.

#### Work of the Committees.

34. In addition to the six main working Committees of the Assembly, there were, as usual, constituted a General or Business Committee, consisting of the six Chairmen of the main Committees, the six Vice-Presidents of the Assembly and the Chairman of the Agenda Committee (Dr. Hyder); and a Credentials Committee, consisting of—

M. Vladimir Molloff (Bulgaria).	M. Arnold Raestad (Norway).
M. Woo Kaiseng (China).	M. A. Sepahbody (Persia).
M. A. de Aguero y Bethancourt (Cuba).	M. Alfredo Gonzalez Prada (Peru).
Baron Joseph Szterenyi (Hungary).	M. J. de Villiers (Union of South Africa).

34A. The representation of India on the six main Committees is shown in the following table:—

##### COMMITTEE I.

###### *Legal and Constitutional Questions.*

*Chairman:* M. Scialoja (Italy); *Delegates of India:* Sir B. L. Mitter, Sir A. P. Patro.

##### COMMITTEE II.

###### *Technical Organisations.*

*Chairman:* M. Janson (Belgium); *Delegates of India:* Sir Jelangir Coyajee; Dr. L. K. Hyder.

##### COMMITTEE III.

###### *Reduction of Armaments.*

*Chairman:* Dr. Murash (Denmark); *Delegate of India:* Sir Denys Bray.

##### COMMITTEE IV.

###### *Budget and Financial Questions.*

*Chairman:* M. Politis (Greece); *Delegates of India:* Diwan Abdul Hamid; Sir A. P. Patro.

##### COMMITTEE V.

###### *Social and Humanitarian Questions.*

*Chairman:* Khan Ala (Persia); *Delegates of India:* Dr. L. K. Hyder; Sir J. C. Coyajee.

##### COMMITTEE VI.

###### *Political Questions.*

*Chairman:* M. Motta (Switzerland); *Delegates of India:* Diwan Abdul Hamid; Sir Denys Bray.

### COMMITTEE I.—Legal and Constitutional Questions.

#### AMENDMENT OF THE COVENANT OF THE LEAGUE OF NATIONS IN ORDER TO BRING IT INTO HARMONY WITH THE PACT OF PARIS.

35. At the Assembly of 1929 the British Delegation had proposed that the Covenant should be amended so as to bring it into line with the Pact of Paris. The question was referred to a Committee of Jurists, whose proposed amendments were discussed at the Assembly of 1930, a Sub-Committee of which, although proposing certain definite amendments, reported that the matter would have to be further considered by Governments with a view to discussion at the Assembly of 1931. The Sub-Committee's amendments were circulated to Governments for observations, and accepted by those of the United Kingdom, Australia, South Africa, New Zealand, Poland, China, and Portugal. But opposition was foreshadowed from France, Italy, Denmark, and Finland. Moreover, when the 1931 Assembly met replies were still awaited from 30 Governments, while the change of Government in the United Kingdom had resulted in instructions to the British Delegation in favour of a further postponement of the question. There was, therefore, a certain air of unreality attached to the general discussion of the subject in Committee I, which centred round the problems of the prohibition of the resort to war, the pacific settlement of disputes, and the sanctions; and after only three meetings the subject was referred to a Sub-Committee with instructions to note the progress achieved and the work remaining to be done with a view to the adoption of the amendments proposed in 1930, to indicate, having regard to the convening of the Disarmament Conference, the method to be followed in seeking a solution in 1932, and to draw up a resolution for presentation to the Assembly. The report of this Sub-Committee, whose rapporteur was M. Rollin (Belgium), will be found in full in the Appendix. It included an elaborate examination of the problems at issue, and recommended the setting-up of a temporary Committee which should sit at the same time as the Disarmament Conference, and endeavour to agree upon amendments which might then be voted at the next Assembly. The report was adopted by the Committee with certain amendments and an addition to the draft resolution requesting the Secretary-General to transmit the report and resolution to the Members of the League to give them an opportunity to inform the Council of their views as to the nature of the agreement they think would be reached.

#### PROPOSAL OF THE GOVERNMENT OF FINLAND TO CONFER ON THE PERMANENT COURT OF INTERNATIONAL JUSTICE JURISDICTION AS A TRIBUNAL OF APPEAL IN RESPECT OF ARBITRAL TRIBUNALS ESTABLISHED BY STATES.

36. This proposal had been referred two years ago to a Special Committee of Five appointed by the Council which prepared a report suggesting three different ways in which the desired result might be arrived at:—

- (1) By inserting special provisions in arbitral treaties and agreements;
- (2) By opening a special protocol for signature by Members of the League binding them to follow the course proposed; and
- (3) By passing a resolution declaring it to be a duty of a State which contested the validity of an arbitral award to submit the matter to a decision by the Permanent Court.

37. The matter should have been considered at the Assembly of 1930, but owing to pressure of more important business in the First Committee it was postponed till this year. In reintroducing the proposal the Finnish delegate in the Committee stated that the initiative taken by Finland had been generally welcomed, and explained that there was no general right of appeal in question, but only a right of appeal against an arbitral sentence on the ground that the Tribunal was incompetent to deal with the matter or had exceeded its powers, or that there had been an essential flaw in procedure. The Finnish Government was in favour of the second of the three methods of procedure suggested by the Special Committee of Five. The Finnish delegate received general support from Austria, Poland, Belgium, Norway, Hungary, Greece, Switzerland, Portugal, Roumania, and Italy, and the question was sent without demur to a Sub-Committee under the chairmanship of M. Huber (Switzerland), with M. Raestadt (Norway) as rapporteur.

38. This Sub-Committee produced a draft protocol for submission to Governments conferring compulsory jurisdiction upon the Permanent Court of International Justice to hear disputes as to the validity of arbitral awards and a recommendation for adoption by the Assembly, proposing that in all cases where the Council of the League found the validity of an arbitral award contested by one of the parties, it should invite the parties to conclude a special agreement for the submission of the question to the Permanent Court of International Justice, and if unsuccessful in securing their assent to such an agreement, the Council should request the Court to deliver an opinion. It was at once apparent that the Sub-Committee had gone much further than it could carry the full Committee with it, and criticism was forthcoming from all sides, including those who had given the motion a general blessing at the earlier discussion. Count Apponyi (Hungary), supported by Austria, was prepared to agree to the circulation of the protocol to Governments, but took serious objection to the recommendation,

summoned. The general result of this procedure would be that a considerable period would be bound to elapse between the first proposal for a convention and its eventual signature.

45. The proposal fell generally into line with the resolution already presented to the Committee on the subject of the codification of international law, a fact remarked upon by the Chairman, and it was accordingly remitted for examination to the Sub-Committee on Codification. This Committee produced a text generally in accord with that adopted for the future procedure in respect of codification, and it was adopted without change both by the Committee and the Assembly. The result is that in future League conventions will take much longer to crystallise, which is all to the good, especially from the point of view of far-distant States such as India. Another probable result is that more protracted initial enquiries will mean a good deal of additional expense.

#### NATIONALITY OF WOMEN.

46. At the Conference on the Codification of International Law held at The Hague in March and April 1930, a Convention was signed on behalf of several members of the British Commonwealth of Nations which included the following three Articles :—

##### *Article 8.*

If the national law of the wife causes her to lose her nationality on marriage with a foreigner this consequence shall be conditional on her acquiring the nationality of the husband.

##### *Article 9.*

If the national law of the wife causes her to lose her nationality upon a change in the nationality of her husband occurring during marriage, this consequence shall be conditional on her acquiring her husband's new nationality.

##### *Article 10.*

Naturalisation of the husband during marriage shall not involve a change in the nationality of the wife except with her consent.

47. The Convention was signed on behalf of India with a reservation as regards its application to the Indian States.

48. In the autumn of 1930, a Private Member's Bill was introduced in the House of Commons by the late Dr. Ethel Bentham and was read a second time without opposition. The Bill contained proposals to the effect that :—

- (a) A British woman shall not lose her nationality by marriage with an alien.
- (b) A British woman who has already lost her British nationality by marriage with an alien shall be deemed to be a British subject unless she makes a declaration of alienage within a certain period.
- (c) An alien woman shall not become a British subject by marriage with a British subject.
- (d) A woman who is already a British subject by marriage shall continue to be a British subject unless she makes a declaration of alienage.
- (e) A woman notwithstanding marriage shall be competent to apply for or receive a certificate of naturalisation.

49. During the second reading, the Government's spokesman stated that His Majesty's Government in the United Kingdom were in favour of the principle of the Bill, but that independent legislation on nationality law by one member of the Commonwealth would be contrary to well-established constitutional principles and that, therefore, His Majesty's Government were not prepared to go further than the Hague Convention to which all members of the Commonwealth had assented. The Bill made no further progress.

50. The Canadian Government have, however, introduced a Bill to give effect to the Hague Convention in order to deal with the special question of the position of the position of Canadian women marrying United States citizens.

51. Prior to the meeting of the Assembly it was understood that His Majesty's Government in the United Kingdom were in principle disposed to accept the following proposals for the amendment of the existing laws :—

- (a) That a British woman shall not lose her nationality by reason of her marriage to an alien whether or not she automatically acquires her husband's nationality on marriage under the law of her husband's country.
- (b) That a foreign woman who married a British subject shall not automatically become a British subject by reason of her marriage.
- (c) That (as the law already in substance provides) the wife of a British subject shall not automatically cease to be a British subject if her husband during the marriage acquires a foreign nationality and so loses British nationality.
- (d) That where an alien obtains a certificate of naturalisation, his wife shall not automatically become a British subject through her husband's naturalisation.

- (e) That where the foreign wife of a natural-born British subject or the foreign wife of a British subject by naturalisation desires to acquire British nationality she shall be eligible to apply for a certificate of naturalisation under the ordinary statutory conditions.
- (f) That a married woman being the wife of an alien shall be eligible to apply for a certificate of naturalisation under the ordinary statutory conditions.
- (g) That where a woman who remains British notwithstanding her marriage with an alien acquires foreign nationality by a voluntary and formal act of her own, she shall thereupon cease to be a British subject.
- (h) That consequently the status of being a married woman shall no longer be regarded as a disability either for the purpose of acquiring British nationality by naturalisation or for the purpose of losing British nationality by voluntary naturalisation in a foreign country.\*
- (i) That where a woman who was a British subject before her marriage had already lost British nationality by reason of her marriage with an alien she shall be eligible within a limited period to make a declaration that she desires to resume British nationality.

52. But even these concessions, which the Government of India regarded as somewhat sweeping, did not go so far as was desired by some of the women's organisations, who claimed that "where the nationality of a child is derived from the parent, the nationality of one parent shall be given no preference over that of the other." If this were granted not only would the child of a mixed marriage in every case possess two nationalities under the *jus sanguinis*, but there would be not a few cases where a child would possess three nationalities, e.g. if it were born in a country where the *jus soli* applies, of parents of different nationalities, neither being the nationality of the country where the child is born.

53. The proposals by the women's organisations resulted from the submission to the Council in January 1931 of a resolution from the representatives of Guatemala, Peru, and Venezuela, in which they proposed that the subject should be placed on the Assembly's agenda and the Secretary-General requested to submit a report after consultation with a committee of 18 nominated by nine women's organisations.

54. In the First Committee of the Assembly the subject was taken charge of by Dame Edith Lyttleton, who explained the position of His Majesty's Government in the United Kingdom and submitted a draft resolution requesting the Council to invite Governments to reconsider the question in time for the 13th Assembly. It was however, difficult to reconcile the somewhat uncompromising wording of the resolution, which appeared to dismiss the Hague Convention as ineffectual, with her statement that it committed nobody to anything, and it was attacked by the Netherlands, Poland, and Italy. The Dutch Delegate (Mme. Schonfeld-Polany) stressed the brevity of the interval that has elapsed since the Hague Convention was signed in 1930, and stated that there was no sign of public opinion unanimously demanding that a woman married to a foreigner should retain her own nationality. She quoted a letter to the Hague Conference of 1930 sent by Dutch lady barristers advocating the system based on family unity, and pointed out that the International Union of Catholic Women's Leagues, representing 25,000,000 members, had supported this principle. Similar sentiments were expressed by M. Giovanni on behalf of the Italian Government. A number of speeches were made in support of the British resolution, but none went beyond it, and the opposition was sufficiently strong to secure some modification in its terms. It was supported generally by Sir A. P. Paton, who referred to the lucid and eloquent advocacy of the women's case by Dame Lyttleton and pointed out the importance of the problem in the light of modern conditions. He commented on the fact that there are five classes or systems of laws and customs governing the subject. (1) Five countries accept the equality of women. (2) Nineteen countries hold that marriage of a woman national to a foreigner should not deprive her of her nationality without her consent. (3) In twelve other countries marriage does not compel her to take her husband's nationality without her consent. (4) Eighteen countries hold that acquisition of new nationality by the husband does not make her accept it without her consent. (5) There are States which give right to the woman to transmit her nationality to the children. In the midst of these laws and customs he thought it highly essential to consider the proposals of the women's organisations. Codification of international laws would not be complete without a full consideration of this subject. There should therefore be an opportunity for all Governments to review the matter and submit their views as early as possible.

55. The resolution was then referred to a drafting committee, which submitted a modified draft to a later meeting. This draft, though suggesting reconsideration of the question of the nationality of women at the next Assembly, did not either directly or by implication condemn the Hague Convention, and committed Governments to nothing but observations. It was adopted as it stood both by the Committee and the Assembly.

\* A married woman under the age of 21 should not be regarded as under disability *qua minor*.

**APPOINTMENT OF A SPECIAL COMMITTEE TO STUDY THE EXISTING SYSTEM  
OF ELECTIONS TO THE COUNCIL.**

56. This question was raised by the circulation to Governments before the Assembly of a Portuguese memorandum, which brought to a head the problem of the exclusion from the Council of a number of States, Portugal included, by definitely advancing the unpopular proposal to increase the number of members of the Council from 15 to 16. The alternative, of course, is a modification of the prevailing agreement by which States are elected as representatives of specified geographical groups.

57. The system in force for the election of the non-permanent Members of the Council was instituted in 1926 at the seventh Assembly of the League of Nations. It is the outcome of a compromise reached by a Committee of 15 members, appointed by the Council on 18th March 1926, on the occasion of the crisis which arose at the Special Assembly of 8th March 1926, in connection with the proposal to admit Germany as a Member of the League of Nations and with her appointment as a permanent Member of the Council. As a result of this compromise, the number of non-permanent Members was fixed at nine; a system of rotation was established, so that, the term of office being three years, a retiring State can only be re-elected at the end of three further years. Exceptions to this rule of non-re-eligibility may be allowed in favour of not more than three States by a decision of the Assembly adopted by a two-thirds majority and subject to special formalities. The Assembly decided, by a two-thirds majority, to reserve also the right to proceed at any time to a fresh election of all the non-permanent Members of the Council.

58. The avowed object of the new system was to obtain as perfect as possible a system of rotation, but in practice that result has not been obtained. Up to the meeting of the 12th Assembly two countries had acquired the right to re-election—Poland and Spain—and one of them, Poland, had been re-elected. One seat had always been occupied by a State of the Little Entente. Another seat had been occupied by a Scandinavian country, by the Netherlands or by Finland. Three countries belonging to Latin-America had been elected, and every year the retiring American State had been replaced by another American State. One seat had been reserved for the Asiatic Powers. Another had been assigned successively to Canada and the Irish Free State.

59. The Council of the League of Nations thus consists at present of the Powers permanently represented—British Empire, France, Germany, Italy and Japan; of the two Powers semi-permanently represented (eligible for re-election)—Poland and Spain; of one of the Powers of the Little Entente—Yugoslavia; of one of the Scandinavian and associated Powers—Norway; of one of the British Dominions—Irish Free State; of a delegate of an Asiatic Power—Persia, and of the delegates of three Latin-American Powers—Guatemala, Peru and Venezuela. According to the system of rotation adopted by the Assembly, representatives of these countries would be automatically replaced by others belonging to the same groups. Eleven countries, among them Portugal, who do not belong to any of these groups would thus be permanently deprived of any chance of representation on the Council.

60. The Empire Governments were generally in sympathy with the Portuguese grievance, and Lord Cecil took the initiative by submitting a proposal for the appointment of a special committee to study the existing system of elections and report to a future session of the Assembly. In putting forward his proposal he cited both the problem of Portugal and the discredit brought on the League by the blatant lobbying which preceded Council elections. He was supported by both Sir B. L. Mitter and Sir A. P. Patro.

61. Sir A. P. Patro supported the British proposal because he had noticed that certain groups used electoral methods which did not conduce to develop international co-operation. Notwithstanding possible difficulties of procedure, an attempt must be made to remedy the position since all countries were concerned in the development of true international co-operation. It would complicate matters unduly for the moment if the enquiry were extended to all elections in the League, as had been suggested, but some method whereby every country would have an opportunity of being represented on the Council, one day or another, must be sought. The Council had very great influence. It was, so to speak, the League's board of management, and all States Members should have equal opportunities of obtaining a seat on it. Any system that permitted lobbying was bad. Each country had its own electoral methods, and advantage must be taken of their combined experience in devising a better system. Hence, the Sub-Committee must not be hampered by instructions laid down beforehand. Its only mandate must be to seek for the method that was most likely to conduce to co-operation and harmony among the States Members of the League.

62. Sir B. L. Mitter agreed with the delegate from Canada that the terms of the resolution moved by Lord Cecil did not cover the size of the Council. It dealt with a study of the system of election to the Council. Nevertheless, the number of persons to be elected was a factor relevant to that study. He wished Lord Cecil would give an indication of the time-

which the Special Committee would be expected to take to conclude its labours, and suggested that the Committee be appointed at once and that it should send out a questionnaire to elicit the opinion of the Member States. The Special Committee, either during the Assembly Session next year or immediately before that, would have the opinions of the different Governments interested, as well as the experience of the working of the existing system, to start its work with. All possible alternatives to the existing system could then be examined, and out of these a satisfactory system might be evolved. This suggestion might also have the effect of minimising the expenses of the enquiry.

63. The proposal, however, met with stiff opposition from other quarters, a strong current setting in in favour of indefinite postponement of an awkward question, the only effective solution of which is the surrender of spoils. The delegate of Cuba was nervous about the arrangement which allots three seats to Latin America, the delegate of Greece regarded the question as insoluble, and even the Chairman, supported by the veteran M. Restrepo (Colombia), suggested that the setting up of a committee should be postponed for a year. The proposal seemed almost lost when Lord Cecil spoke again and with a forceful speech carried the majority of the Committee with him, later carrying his proposal through the Assembly.

## COMMITTEE II.—Technical Organisations.

### WORK OF THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

64. This Organisation had done a certain amount of useful work since the last Assembly. In particular, a reasonably successful Conference for the Unification of Buoyage and Lighting had been held at Lisbon in October 1930, at which India had been represented. A Conference had been held at Geneva in November of the same year on the Unification of River Law, and adopted a Convention for the unification of rules concerning collisions, a Convention on the registration of inland navigation vessels, a Convention on measures for attesting the right of inland navigation vessels to a flag, and a number of minor recommendations. The work of the Conference may be regarded as the first stage in the unification of European river law, and is not without interest for India. A draft Convention had also been prepared by a Committee of the Organisation dealing with the unification of transport statistics. This will come before an International Statistical Conference, probably in 1933. Finally, as a matter of general interest, there must be mentioned the European Conference on Road Traffic that was held in March last, and drew up Conventions on the Unification of Road Signals and the Taxation of Foreign Motor Vehicles.

65. The Organisation holds a General Conference every four years. The fourth General Conference is to meet in the present October. Its agenda is as follows:—

- (1) Examination of the report on the work of the Advisory and Technical Committee for Communications and Transit since the last General Conference.
- (2) Examination of the report submitted by the Secretary-General of the League on the measures taken in execution of the decisions of the previous Conferences.
- (3) Renewal of the membership of the Advisory and Technical Committee for Communications and Transit.
- (4) Steps to be taken in case of grave occurrences of a general character affecting routes of communication.
- (5) Examination of the expediency from an economic and social standpoint—
  - (a) of fixing movable feasts;
  - (b) of simplifying the Gregorian calendar.

66. Dr. Hyder spoke in the course of the general discussion. He said he had been much struck by the universal character of the sympathy expressed with China in her recent disasters. India knew what these great natural disasters meant. All countries with great rivers were liable to suffer from them. Sympathy was not enough. The world had a great opportunity for pooling the advice and experience of mankind in the conflict with the brute forces of nature. He was in entire agreement with Sir Arthur Salter in the emphasis which the latter had laid on the importance of choosing suitable experts in this connection. India was closely interested in maritime questions; and he hoped that it would ultimately be found possible to arrive at a general codification of rules in connection with storm signals at sea.

67. In his report to the Assembly, which will be found in the Appendix to this Report, the rapporteur, M. Costa da Rels (Bolivia) surveyed the work that had been done during the year, drew special attention to the work being done to assist China in establishing a great programme of public works, and submitted a resolution in approbatory terms.

### WORK OF THE HEALTH ORGANISATION.

68. A general discussion took place in the Committee on a report presented by M. Fierlinger (Czechoslovakia), the rapporteur, in which Dr. Hyder took part.

69. Dr. Hyder paid a tribute to the report, and said that the work of the Health Section was of special importance to his country. India had derived great benefit from the exchange of ideas which took place during the visit of the Malaria Commission. The work of the Singapore Bureau was also of the utmost importance for all Eastern countries.

70. He had been much struck by the fact that the Health Organisation was giving its attention to the question of indigenous drugs. India had an indigenous remedy for leprosy, the scientific value of which had been recognised. He would be glad to see an increasing amount of scientific research work in this connection take the place of mere guesswork.

71. He had been much interested by what had been said by the Netherlands delegate in regard to the stocks of quinine available in the Netherlands Indies. More scientific research was also needed in the case of quinine. He did not doubt that, if the quality of drugs was improved and their price reduced, everyone would benefit, both producers and consumers.

72. He paid a tribute to the important work done by the Organisation in centralising the exchange of information on health problems. He hoped that the meetings which the League organised of directors of health administrations would be held in Asia as well as in Europe.

73. In conclusion he expressed his sympathy for the resolution proposed by the French Delegation. He had not yet received instructions from his Government on the subject, but he was certain that India, who realised that her interests were at one with those of China, would do everything in her power to assist the latter.

74. The French resolution referred to in Dr. Hyder's speech, which was also sponsored by the British Delegation, called upon the Health Organisation to co-ordinate the assistance which the various countries were prepared to offer China to help her to combat the epidemics to which the great floods seemed certain to give rise, and occupied the centre of the stage during the discussions. The Danish delegate stated that his Government had already sent China 300,000 tubes of anti-malaria and anti-typhoid vaccine, and the Indian Delegation regarded it as unfortunate that they were not in a position to announce any tangible measure of assistance from India. The effect created by a promise of help from India would have been considerable.

75. The resolution as passed by the Assembly invites all the States Members and non-Members of the League of Nations, and particularly those in close contact with the Far East, to respond so far as is in their power to any request that may be made to take all possible measures for relief in the flooded areas in China. The report to the Assembly also drew attention to the work done in helping Governments in public health problems, in particular the plan of sanitary reorganisation adopted by the Greek Government, the campaign against certain infectious diseases in Bulgaria, the enquiry into infant mortality in Roumania and South America, the reorganisation of the Bolivian public health service, and the work of reconstruction already begun in China. Special reference was also made to the work of the Eastern Bureau and of the European Conference on Rural Hygiene.

#### WORK OF THE ECONOMIC AND FINANCIAL ORGANISATIONS AND OF THE COMMISSION OF ENQUIRY FOR EUROPEAN UNION (referred from Committee VI).

76. In view of the present domination of the world by problems of economics and finance, the intense interest taken in these subjects at the 1931 Assembly is not surprising. Moreover, a large part of the League's activities during the past year had been devoted to a study of the problems confronting States, with a view to the discovery of remedies. The amount of material collected, in fact, defeated its own object. From a maze of statistics no remedies for existing ills had yet emerged, and it is indeed doubtful whether many delegates at the Assembly had been able to read, much less master, the acres of print from Geneva. Beginning with Sir B. L. Mitter's speech in the Assembly, the Indian Delegation took the lead in the interests of non-European countries in opposing the tendency in the direction of purely European *rapprochement* under the auspices of the League, and in adopting this line. Sir J. C. Coyajee found powerful support in Committee, particularly from the Dominions. He was thus enabled to obtain the recognition of the interests of non-European countries in the resolutions passed by the Assembly, the nomination of India to a special committee to be set up by the Council to study the European Commission's proposal for a Pact of Economic Non-Aggression, and before leaving Geneva was able to form an unofficial study group, including representatives of Australia, South Africa, the Irish Free State, and Japan.

77. So much of the work of the year in these subjects was only completed shortly before the Assembly that some account of it is necessary if the proceedings of the Assembly are to be understood.

78. The Conference, "with a view to concerted economic action," was the result of proposals made by the British Delegation at the 1929 Assembly, described in the report of the Indian Delegation for that year. It resulted in a Commercial Convention which provided so far as the parties are concerned for a stabilisation of tariffs to a limited extent and for a short period. From the practical point of view the Conference related entirely to the tariff situation in Europe, and India was not represented. It soon became clear that the Convention could

not be put into force, and its place was taken by negotiations (under a separate protocol) between States with a view to collective economic agreements. These broke down in turn, and the interested Governments hastily turned their attention to the more promising question of agricultural credits.

79. A Committee of Agricultural Experts was convened at the instance of the Economic Organisation of the League to discuss the methods and scope of the agricultural enquiries to be conducted by the Economic Committee of the League. It held its first meeting in January 1930. As a result of this inciting it was agreed that in view of the prevailing agricultural depression, the Economic Committee should prosecute its enquiries on the agricultural side simultaneously with its commercial and industrial studies; and that its first action should be to secure from each of the various countries chiefly concerned a statement of the chief causes of the prevailing depression, as envisaged by each. As the outcome of this enquiry, an important report on the agricultural crisis was published by the Economic Committee in July 1931, and the Committee proposed that the experts should meet again at the beginning of next year.

80. At the second meeting of the Agricultural Experts the discussions turned mainly on the question of cereals, and most of the experts recommended that the producing countries concerned should endeavour to arrive at an understanding. This suggestion was taken up by the Wheat Conference, which met in Rome from 26th March to 2nd April, and led the overseas and European exporting countries to decide to hold a meeting on 18th May in London to prepare a common plan for the export of the wheat crop of 1931-2 and of existing stocks. The Rome Conference invited the Economic Organisation of the League and the International Institute of Agriculture at Rome to keep in touch with the endeavours to be made by various countries to deal effectively with the problem of the production and sale of wheat. The London Conference, however, failed to produce any scheme for the control of exportable surpluses of wheat. The only concrete result of the Conference was the establishment in London of a bureau of information for the 11 countries represented at the Conference.

81. Agricultural questions also occupied a large part of the attention of the Commission for European Union. At its second session in January 1931 the Commission suggested a meeting of the grain exporting countries of Central and Eastern Europe and the European importing countries in order that a common effort might be made to dispose of the grain surplus. It also set up a purely European Committee to study the question of the export of future surpluses, including tariff arrangements, and arranged for this Committee to meet in June and if it thought fit to get into touch with the overseas countries which had sent representatives to the Rome and London Conferences. It suggested that the Committee should consider the establishment of agricultural preferences in the interests of the Central and Eastern European grain exporters, though stating that the grant of such facilities must be regarded as an exceptional temporary measure subject to the interests of third States and that any concessions made in return for agricultural preferences should not themselves be preferential. The question of extending agricultural preferences to other than grain products was referred to a new Economic Co-ordination Sub-Committee.

82. The Commission also took a hand in the scheme for agricultural credits, by appointing a special Committee to keep in touch with the work being done by the Financial Committee on this subject, and at its third session in May the Commission approved the draft Convention proposed by the Financial Committee and opened it for signature.

83. The Conference with a view to concerted economic action drew the attention of the Council last year to the fact that the shortage of capital for agriculture constituted a serious hindrance to commercial relations between industrial and agricultural countries and urged a better organisation of agricultural credits. The question was referred by the Council in May to the technical organisations of the League, including the Financial Committee, with the result that an International Convention and the Constitutive Charter and Statutes of a mortgage institute, to be known as the International Agricultural Mortgage Credit Company, were drawn up by a delegation of the Financial Committee under the chairmanship of M. ter Meuleu. These instruments were approved, subject to slight amendments by the Financial Committee. They were considered at various stages by a special Committee of the Commission for European Union appointed for the purpose, which made a few modifications. They were then approved by the full Commission and finally by the Council. The Convention has so far been signed by 16 European Governments. The Council has appointed an Organising Committee to "take all steps" required for the first issue of shares of the International Company, for its organisation and by way of preparation for its operations. The Organising Committee held its first meeting in Paris on 4th June and the Bank should be open early next year. The purpose of the plan and of the collective effort on the part of European States which it entails is, in the words of the Financial Committee, to "alleviate the burdens which weigh on agricultural production in various countries, to diminish the working expenses which absorb too large a share of the profits, and to increase the purchasing capacity of the agriculturists."

84. The important matter, from the Indian point of view, was that for the first five years the scheme is confined to European countries, and that provision for the entry of non-European

countries after that period is subject to such conditions as the Council may impose. The scheme itself would appear to be one of the most concrete pieces of work to the credit of the League, but in so far as League machinery and money have been used in the exclusive interests of Europe it was open to criticism.

85. On the initiative of the Indian Delegation the 1930 Assembly passed a resolution to the effect that the Economic and Financial Organisation of the League should undertake a study of the course and phases of the present economic depression and of the circumstances which had led up to it. For this purpose the Economic and Financial Organisation was instructed to get into touch with the national organisations, whether consultative or planning councils or research institutions, which were dealing with the subject. In pursuance of this resolution, a meeting of representatives of National Economic Councils and National Research Institutes was held at Geneva from 2nd to 4th March 1931. At the meeting, representatives of organisations and institutes in Belgium, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain, Hungary, Italy, the Netherlands, Portugal, Spain and the United States of America were present. Representatives of the International Labour Office and the International Institute of Agriculture also attended. The meeting devoted the major part of its time to discussing the scheme of enquiry which had been prepared by the Secretariat, and the members agreed to furnish memoranda on a common plan dealing with the phenomena of the depression in their respective countries. An extensive preliminary survey of the situation was presented by the Secretariat to the May meeting of the Commission for European Union and to the June meeting of the Economic Committee, and a further report was produced in time for the Assembly.

86. The debate on the economic work of the League was opened by M. Vennersten (Sweden), who criticised the general failure of Governments to co-ordinate commercial and financial relief measures, and declared that Sweden was opposed to the remedy of special preferential tariffs. M. Rollin (France) supported both special tariffs and the new Agricultural Mortgage Credits Bank, and further advocated the development of public works, a course which was supported by the Japanese and by the German delegates. The German delegate also approved of the mortgage credit scheme provided it were extended to industry as well as agriculture. Italy was in favour of the national organisation of economic life and the co-operation of national economic councils with the organs of the League, a course which was supported by Japan, and would suggest special preferences only as an exceptional measure limited to certain specified products. Poland and Roumania spoke on behalf of the Central European grain exporting countries, who are the countries principally concerned with the question of special preferences. Sir Arthur Salter, speaking on behalf of the Government of the United Kingdom, stated that in his opinion the financial crisis was the greatest immediate danger. He approved the idea of concentrating on public works and the co-operation with the League of national economic councils, and supported a resolution introduced by the delegates of Belgium, Denmark, Luxembourg, Netherlands, Norway and Sweden, deprecating the extension of special preferences to commodities other than cereals without careful examination of the question by the Economic Committee of the League. He explained that although his Government did not wish to stand in the way of purely European *rapprochement* by means of preferences they were of opinion that the League should not take official cognisance of such arrangements.

87. The discussion on the work of the Financial Committee of the League was opened by M. Bernis-Carrasco (Spain), who devoted his speech mainly to the work done in the sphere of agricultural credits. The discussion was overshadowed by politico-financial argument between France and Germany, Germany and Switzerland, and France and the United Kingdom, but M. Michelis succeeded in defeating an attempt of the Danubian countries to obtain official League approval of special agricultural preferences. Sir J. C. Coyajee was ultimately unable to save the credit for an enquiry into the recurrence of economic cycles, which was sacrificed to the financial stringency reigning in Committee IV.

88. As indicated above, a considerable contribution to the debate was made by Sir J. C. Coyajee. His criticism of the purely European extent of the remedies so far attempted, and his constructive suggestions for the substitution of co-operation on an international scale, received very wide support, notably from Japan, Australia and Canada. The speeches are given below in full:—

#### SPEECH ON THE ECONOMIC ORGANISATION.

89. The great problem that faces the world at present, it is needless to say, is the world economic depression—though its effects and ramifications are multitudinous. That depression has been overshadowing the world, rousing general alarm and deepening in gloom, for years. I hope to be permitted to submit a few observations on the remedial policy proposed, particularly on the agricultural side of the crisis.

90. A study of the various reports to hand on the subject of the present agricultural depression—and in particular that of the Report on Agricultural Crises—leaves us with the

impression that with all their merits there is an important gap in their scheme of remedial suggestions. There is, one feels, the want of a co-ordinating principle and suitable foundation for remedies proposed. This is because they do much less than justice to the value of co-operation—both producers' and consumers'—in the rationalisation of agriculture. This neglect of the potentialities of co-operation has led to an undue importance being attached to the alternative policy of agreements between countries and bilateral treaties with or without preferential features.

91. At the best, such bilateral agreements can only be in the nature of temporary palliatives. Let us test that policy by enumerating the various present needs of agriculture. It is not conceivable how such agreements can help to lower agricultural costs of production, or reduce the great burden of agricultural indebtedness or diminish the disparity between agricultural and manufacturing prices. Such a policy can have very little regulative virtue also as regards agricultural production. We know how little good has been effected by national efforts even at mere restriction of production. The reason is that the potentialities of the State are limited—both as a regulator of production and as maker of good bargains. Even the adoption of such palliatives must imply the adoption of some great and permanent supplementing policy. In any case the policy of treaties is bounded by the problem of *markets* and does not go on to consider the more fundamental problems of *production* and *distribution*.

92. As regards preferential projects, I would venture to make only two brief observations. If such a policy is carried out within the framework of the League, it would tend to break up the economic solidarity of that body. Above all, it will have been noticed that, although at first sight the scope for such a policy appears large, the probabilities of actual realisation of it are in no way numerous. Compared with either the hopes or the fears aroused, the actual harvest of results appears to be small indeed.

93. The valuable report on Agricultural Crises goes on to say that the troubles of agriculture have been accentuated by the fact that it is the *least organised industry* in the world (page 64, para. 4). That being admittedly so, the energetic prosecution and spread of co-operation is the more necessary; since nothing can endow agriculture with as fully integrated and flexible organisation as the development of co-operation. But for this, it is not enough merely to form a large number of societies; they should be suitably *federated into national organisations*, and each nation should try to build up parallel structures of agricultural and consumers' co-operation. Then alone can we expect that the potentialities both of national and international co-operation of agricultural producers and consumers will be properly developed.

94. That report does indeed devote a few pages to co-operation, but then it goes on to express fears that the "work of co-operation *will take time*" (page 62, para. 6). Let it be pointed out in reply that—apart from one or two temporary palliatives—every real remedy of the depression is bound to take time. Take, for example, the proposed rationalisation of industry by means of international combines. For years they have been discussed, and so far it has not been possible to take any steps to encourage or to utilise them. It will take a fairly long time to frame national and international policies for the control or encouragement of these syndicates. At present, all the suggestions in the matter have been only negative in character. The reason of this is clear. For here we are bordering on the grave problem of monopoly—and monopoly is the very antithesis of co-operation. But even admitting that the growth of co-operation be a relatively slow matter, is there any assurance that the *depression is going to terminate* at a very early date? As that depression is developing before our eyes and getting more intense with the passing of every quarter, no report that we have before us even attempts to trace its course, its evolution or its final trend. On the other hand, many experts are of opinion that the agricultural depression is very likely to be with us for a fairly long time. And it might be followed by the growth of dumping from some other great country. With such a prospect, is it not necessary to reinforce the resources and the morale of our agriculturists by the spread of co-operation—which is, apart from its economic advantages, a unique social tonic? The present crisis is a socio-economic one in character and requires a remedy that can act on both the social and economic sides.

95. If the disparity of agricultural prices in relation to the prices of manufactured goods is due to the compact organisation of manufacturers to maintain the prices of their commodities and their labour (page 102), is it not absolutely necessary to rationalise agriculture *pari passu* with the rationalisation of industry? Can bilateral agreements which must extend both over the industrial and the agricultural field afford any solution of this disparity? Finally, is not the promotion of co-operation the one method of rationalising agriculture?

96. The *adjustment of agricultural production* to the consuming capacity of the world is the cardinal problem of this agricultural crisis. We cannot trust that the task of the necessary restriction of production will be adequately done through international agreements or through propaganda from above introduced by the State. Only national agricultural groups federated from top to bottom can remedy the over-production fully without bringing in the opposite danger of undue-restriction of production. We must give their natural leaders to the agriculturist who will trust and follow them instinctively.

97. Again, as demand is becoming dynamical we shall require not a temporary agency for the continuous adjustment of production to demand, but a permanent organisation of the character proposed.

98. We have before us a great scheme of international agricultural mortgage credit and we wish it all success. Nevertheless, many voices are heard expressing the fear that if nothing further is done than to extend more credit to the individual farmer the necessary result will be over-production. Here too it is needful that agricultural co-operation should control the flow and the use of the additional credit. It is scarcely necessary to add that the same statement holds of the scheme for the extension of the short-term credit. It is only an organisation of agriculturists which can most authoritatively and sympathetically teach the individual agriculturist how to utilise additional credit and can also distribute it as it should be.

99. While we admire and highly appreciate the work of the *World Economic Conference* of 1927, it must be admitted that it would have been better policy for it to have concentrated rather on the advancement of co-operation than upon a direct attack upon the tariffs. That direct attack has unfortunately not been crowned with much success, while had the Conference directed its energies on the side of co-operation we should by now have not only greatly improved the lot of the agriculturist, but have really succeeded in lowering tariffs. For I submit that the best way to lower tariffs is not so much by any direct action, but rather by organising consumers in each country on co-operative lines. Once the consumers are organised in each country they will bring their pressure to bear on their Governments to lower the tariffs. As it is there is no organisation on the consumers' side to meet the manœuvres of the producers for maintaining high tariffs.

100. The League is now approaching the period when it is necessary for it to construct a concrete policy of economic action. During the past five years, and especially in the work of the World Economic Conference, it has been studying general economic ideals and potentialities of work. But the course and intensity of the depression has compelled it to come to grips further with realities. However, in laying down practical policy either on the agricultural or manufacturing side it will have to be true to the principles of co-operation and democracy on which its own existence is based. Those principles are the bases of the extension of the policy of agricultural and consumers' co-operation here indicated. And even as to the policy of rationalisation and proposed international cartellisation of industry experience might show that in a great many industries we need not have full fusion and cartellisation, but "a looser form of co-operation and voluntary adjustment of output in accordance with the state of the market."

101. The considerations advanced above make it our duty to make up for past delays and to make a serious effort to encourage advance and organise co-operation widely and in all its stages. I beg to suggest that the Economic Committee should be invited to make a fresh study of the remedial potentialities of co-operation and of the methods of advancing it in the light of the discussion which the subject will receive in this Committee. It might, perhaps, go even a step further and invite reports from those Member States who are willing to furnish them regarding the development of agricultural and consumers' co-operation among them; and having received such reports it might point out any lacune and gaps in such systems and point out potentialities of further development in each case.

#### SPEECH ON THE FINANCIAL ORGANISATION.

102. When reviewing the very rich variety of material in the Report on Financial Work (so admirably produced and presented by M. Carrasco) an Indian delegate will naturally begin by noticing Sir Arthur Salter's Report on Economic Councils in India. In another place I have paid my personal tribute of admiration to his project. Here too as a delegate I am bound to emphasise the merits of his work and its national value to India. Further, I agree entirely with the Rapporteur that the subject of economic planning is of much more than national interest, and obviously a document drawn up by such an international authority as Sir Arthur cannot but have special value in this direction as well.

103. Coming now to the Report of the Gold Delegation, the value and merits of that report are best understood when we consider the main problem before the Delegation as well as the circumstances under which that problem developed. To put it very briefly, the present depression might be said to have surprised the world and to have taken it unawares while it was trying slowly to develop an ideal or improved form of gold standard, and were attempting to find a solution of the question of the international management of such a standard. The banking systems were being educated into the elements of their tasks of control of investment and of price level. We had started with a fairly general acceptance of the gold exchange standard, and, in spite of some adverse currents towards local autonomy and scramble for gold, were installing the machinery for a satisfactory system of supernational management of the value of gold.

104. Such was the line of evolution when our progress was interrupted; and the remedial measures of the Gold Delegation are best envisaged as so many suggestions for the resumption

of that progress. In particular, means have been suggested in order to improve the control and power of central banks to work gold standard which has been shown to be not producing its proper and normal reactions. From this point of view we see the importance of the suggestion that legal stipulations concerning fixed reserved percentages should be modified; so also one must admit the great value of the methods laid down strengthening the power and control of central banks.

105. The report has indeed been criticised on the grounds, among others, that it has not dealt with the methods of central banking co-operation, nor has it explicitly stated how the method of open market operations is to be perfected. But while these and other gaps might be pointed out, it is also well to remember that we are dealing with an interim report and not a final one. We might not also forget that the terms of reference to the Delegation did not include the study of the relationship between the present economic depression and the distribution of gold. Since the final report is still in course of preparation the terms of reference might be suitably widened to cover collateral matters.

106. As a descriptive and analytical study of the course and phases of the present depression the Report on World Economic Depression leaves little to be desired. On the statistical side also it forms a considerable contribution to the literature of the subject. A comprehensive view of the subject is taken in time, with the result that the true perspective has been attained, while the comparison of the present crisis with past depressions is very illuminating. The author has done his best to assist even the less equipped inquirers by convenient little summaries of the argument which are interspersed over the report.

107. A continuation of that study is to be highly desired; and I understand that the annual reports on economic conditions, when worked out by Professor Cunliffe with his usual ability, will form in an important sense such a continuation. It is therefore to be wished that the lines of statistics laid down by Professor Ohlin will be continued and that special attention will be paid to bringing out and presenting the trend of the depression. In fact, it would be well to regard these future reports at least for a quinquennium to come as a continuation of the present important report. Indeed, but for the financial stringency a resolution would have been brought forward for a continuation of Professor Ohlin's labours. For it is certainly the function of a comprehensive analysis to serve as the basis of remedial action. But even on the analytic side how often do we find opposite conclusions drawn from the same figures relating to world depression.

108. I might be permitted to add a word about the special report regarding the study of the recurrence of periods of economic depression. It is gratifying to find that a beginning is to be made of these valuable studies by convening meetings of representatives of national economic councils and research institutes which are carrying on work on trade cycles. But while begun so humbly and modestly it is bound to be a work growing constantly in importance and interest. For with the growth of technical powers on one hand and of fluctuations of public taste and demand on the other we are entering on a new period far more dynamic than its predecessors. There will be constant need to prevent depressions by bringing about adjustment of supply to demand continuously. That need can be met by working out a set of adjustments through co-operative policies—continuous and growing co-operation between central banks and adjustment of manufacture to consumption through rationalisation. Last, but not least, is the bringing about of contact between co-operative organisations and federations of agricultural producers and consumers.

109. Finally, as regards the resolution regarding International Mortgage Credits, I might be permitted to indulge in a few remarks. In the first place the project is for Europe, and we overseas countries are asked to approve of it. I note further that nothing has been said here about any co-operative organisation on which the measure ought to have been based. This is certainly a great lacuna. I hope in the light of the present discussion the project might be made in some measure or in time more comprehensive and in any case be placed on its sound and proper basis. Perhaps we might with some confidence look forward to the early enlargement and strengthening of the project. For even when and if the League begins any line with a particular objective it must as soon as possible aim at its true goal—the universal.

110. As stated above, Sir J. C. Coyajee succeeded in organising a study circle for the further exploration of his suggestions, and his speeches were certainly responsible for the inclusion of non-European countries, including India, in a special Committee to be set up by the Council to study the Pact for Economic Non-Aggression referred to the Second Committee by Committee VI. It was decided that this Committee should consist of representatives of Australia, China, India, Japan, Uruguay, Canada, Chile, and the United States of America. He was elected a member of the Committee's drafting Committee, and further results of his labours are to be found in such passages as the following from the report presented to the Assembly on the economic work of the League:—

111. The Second Committee welcomes the fact that Europe is making efforts to bring about the restoration of her economic situation, and thereby improve world conditions. But the Committee is naturally bound to consider the effects such efforts might have on relations between the European countries and countries in other parts of the world. It is therefore

glad to note that the experts have surrounded their proposals with guarantees for the purpose of safeguarding the interests of other countries, and that they still consider the regime of the most-favoured-nation clause the essential safeguard of normal commercial relations between the nations.

112. Certain delegations, voicing the views of a large number of agricultural experts, expressed their belief that the *co-operative association of production and consumption* has an important part to play in the organisation of the disposal of agricultural products. It also would assist to adjust and regulate production with reference to fluctuations in demand as well as to reduce disparity between agricultural and manufacturing prices. This could further be expected to reduce agricultural costs and the burden of agricultural debts.

113. Finally, the collateral effect of the development of such co-operation would be to contribute towards lowering tariffs, especially emergency tariffs.

#### WHALE FISHING CONVENTION.

114. An interesting account of the genesis and objects of this Convention will be found in the Report of Committee II to the Assembly (see Appendix). It is of no direct interest to India, but if the Convention is to produce its full effect it must be very widely applied, as otherwise vessels might engage under the protection of flags of States not parties to the Convention in operations violating the provisions of the Convention. The hope was therefore very generally expressed that States not directly interested would join in signing and ratifying the Convention. Sir B. L. Mitter and other delegates of Empire States signed the Convention during the sitting of the Assembly.

#### COMMITTEE III.—Reduction of Armaments.

##### COMMUNICATIONS OF IMPORTANCE TO THE WORKING OF THE LEAGUE IN TIMES OF EMERGENCY.

- (1) Facilities to aircraft.
- (2) Motor transport.
- (3) Creation of a wireless station.
- (4) Aerodrome near the seat of the League.

115. No new question arose with regard to (1) and (2) and there were no difficulties with regard to the Assembly's plan for a radio-electric station. It was expected that the station would be ready to operate in the first part of 1932. Negotiations were still necessary between the Swiss Government and the Secretariat with regard to the laying-out of an aerodrome, although the technical studies had been concluded. The Third Committee had to decide whether the Assembly should not await the necessary data concerning the question before taking action, and the Chairman suggested that the matter should be left to the next Assembly. M. François (Netherlands) pointed out the advisability of having a special emblem for aircraft and motors owned by the League of Nations. M. Keller (Switzerland) agreed with the Chairman's proposal, but suggested that, as in the past, the Swiss Federal Government should be consulted in the matter of question (4). M. de Madariaga (Spain) asked whether the League would own aircraft or merely use aircraft lent to it by Governments. He also enquired whether passports should not be supplied by the League to its agents when away on mission, which they now received from their own Governments. Lord Cecil feared the Committee was getting too far from the questions on the Agenda. The League owned no aircraft at present nor did the question of passports arise. M. Haas, Director of the Communications and Transit Section, said that the Assembly had proposed that the Members of the League should in times of emergency allow aircraft of the League to fly over their territory. Most Governments had approved this proposal, though details remained to be settled. The Council, at its last session, had decided how the League's aircraft should be identified, having only in mind aircraft possessed of a definite nationality. If the League should own aircraft, the Council could at any time decide on the question of identification. The identification of agents of the League was partly covered by the Council's resolution to which he had referred. Agents of the League were already furnished with identity papers, signed by the Secretary-General. There was still the question whether such agents should be furnished with passports issued by their own Governments. There seemed to be no difficulties in the case of motor transport and the Assembly's resolution might easily be carried out. Lord Cecil thought that point (4) was probably the most important, but agreed that it might be postponed until next year if the Chairman thought it advisable. The delegates of France, Italy and Norway were also in favour of postponing it.

116. The Chairman proposed that the Committee should note with satisfaction the existing situation in regard to questions (1), (2) and (3), and adjourn to the next Assembly any decision on the scheme for laying out an aerodrome. These proposals were adopted by the Committee and by the Assembly.

## DRAFT CONVENTION TO IMPROVE THE MEANS OF PREVENTING WAR.

117. This Convention, of which two alternative and conflicting drafts, roughly representing French and British points of view, had been prepared, was referred by the last Assembly to a Special Committee. This Committee met in May and succeeded in reaching a unanimous agreement on the text of the Convention. The Convention, as then drafted, provided that, in the event of a threat of war, any party which had crossed the frontiers of any State with its armed forces should withdraw the latter on the summons of the Council, and that, further, the Council should have the right to fix, with the consent of the party concerned, a further line from which armed forces should be withdrawn with a view to preventing the possibility of a clash.

118. The Convention, which was largely the work of Lord Ceeil, was approved by His Majesty's Government in the United Kingdom, but some of the Dominions and India expressed a more cautious attitude towards commitments, the full effect of which they did not consider to be perfectly clear, and which they were inclined to think might hamper the free action of British naval forces. Their caution was justified at any rate to some extent by the emergence of unsuspected "snags" in the course of discussion at the Assembly. For example, it was found that as drafted the Convention would, in the event of the circumstances contemplated arising, prevent the passage of warships through the Suez Canal, and it became necessary to insert a special article to cover this point. Similarly, in para. (1) of Article 2, it was found necessary to insert the word "territorial" before "waters" to prevent a situation arising in which the Council might order the withdrawal of naval forces from parts of the High Seas such as the Adriatic, Aegean, Black Sea or the Baltic.

119. Details of the draft Convention were criticised in the Third Committee at considerable length, but the principles were left unchanged. Briefly, the Convention provides that in critical circumstances falling short of a state of war States will carry out measures imposed upon them by the Council, the requirement of unanimous decision by the Council being waived so far as the States in question are concerned if they are members of the Council. Provision is made for measures of two kinds:—

- (1) Measures which, in circumstances that, in the Council's opinion, do not create a state of war between the Powers in question, are designed to secure the evacuation of the territory or territorial waters of one party or of a zone demilitarised in virtue of international agreements by the forces of the other party which may have entered that territory or may be flying over it in the course of a dispute (Article 2).
- (2) The fixing by the Council, if it thinks this necessary, of lines in the territory of the parties which must not be passed by the land, naval or air forces of the parties to the dispute and, where necessary in order to avoid incidents, by their civil aircraft (Article 3).

120. It is specified that there shall be equivalent treatment for land, naval and air forces as regards both measures of the first class (evacuation) and measures of the second class (fixing of lines not to be passed by the troops). As States regard their territorial waters as part of their territory, those waters must be evacuated by any forces that may have entered them or may be flying over them, just as the territory itself must be evacuated.

121. Measures of the second category—that is, the fixing by the Council of lines which the forces and, as far as may be necessary, the civil aircraft must not pass—may be prescribed, if the circumstances contemplated in Article 2 have arisen, and after the Council has prescribed measures designed to ensure evacuation, or if, in the event of a threat of war, special conditions, particularly the possibility of contact between the forces, rendered it necessary. It is understood that the State whose territory has been invaded will not be required to withdraw its forces behind the lines fixed by the Council until that territory has been completely evacuated by the alien forces.

122. The powers conferred on the Council by this article may be exercised without an invasion having taken place or after an invasion followed by an order for evacuation.

123. As regards the actual fixing of the lines which the forces must not pass, it is understood that if the Council, after endeavouring to fix these lines by common agreement with the parties to the dispute, has been obliged, failing such an agreement, to fix them with the consent of the party whose forces are affected, this does not involve the withdrawal of the forces further back than the exterior lines of the defence organisations existing on the frontier of the parties concerned at the time when the Council of the League of Nations takes its decision, nor the abandonment of any other work, position or line of communication essential to the security or the supplies of the party concerned, the natural lines of defence and vital centres being included among "the essential" works, positions, or lines of communication.

124. Certain delegations recommended the generalisation of the system of permanent demilitarised zones, but the Committee considered that such generalisation might be brought about by way of bilateral agreements, and not by a general convention.

125. The Polish Delegation again defended in the Committee the point of view which it put forward in the Special Committee. It considered that, if the conservatory measures of a military character are restricted to those provided for in Articles 2 and 3 of the Convention,

the latter will have little value, and the Polish Delegation would, in particular, have liked to have the following clause included :—

“In the event of the Council's deciding that an international obligation concerning the State of a High Contracting Party's armaments has been violated, it shall call upon the High Contracting Party to restore the situation in accordance with the said obligation. The High Contracting Parties undertake to comply with such invitation without delay.”

126. The Third Committee shared the opinion of the Special Committee that the question did not come within the scope of the Convention and the Polish Delegation reserved its right to submit the matter to the Conference for the Reduction and Limitation of Armaments.

127. As regards Article 5 concerning the question of penalties, the Third Committee succeeded in achieving unanimity, the Netherlands Delegation having renounced the reservation which it had asked to have inserted in the Special Committee's report. It is understood that the second paragraph of Article 5 refers to the case of wars breaking out as a consequence of a violation, established by the Council, of the conservatory measures of a military character defined in Articles 2 and 3. As in all cases in which war breaks out, the Members of the League may, and, in fact, must, decide whether a State has resorted to war contrary to the obligations entered into under Articles 12, 13 or 15 of the Covenant, before considering *ipso facto* that a Member of the League has committed an act of war against all the other Members. Furthermore, in the special case referred to in the second paragraph of Article 5 of the General Convention, the contracting parties will consider that the violation by another contracting party of the supplementary obligations which it has freely entered into under Articles 2 and 3 of this Convention constitutes *prima facie* evidence, if war breaks out, that the said party has resorted to war within the meaning of Article 16 of the Covenant. It is understood that this is only *prima facie* evidence, which does not preclude proof to the contrary.

128. The Committee inserted in Article 6 a clause under which the parties to the Convention undertake to provide, by the means at their disposal, such publicity as the Council may think fit for its proceedings, decisions and recommendations when a dispute is brought before it in the case contemplated by the Convention. For the application of this clause, which is aimed at preventing public opinion as far as possible from receiving one-sided information and also at influencing the public opinion of the countries involved with all the Council's moral authority, the Council must take a decision concurred in by all the Members voting other than the parties to the dispute. Naturally, this clause, like the others, cannot affect the rights of the Council under the Covenant, and particularly its right to regard publication of its discussions, decisions and recommendations as a matter of procedure under Article 5, para. 2, of the Covenant; but publicity only becomes compulsory under Article 6 of the Convention if it is decided upon unanimously.

129. The Convention was opened for signature before the end of the Assembly, but the Government of India's consideration of the matter not being complete, Sir B. L. Mitter had no instructions to sign it.

#### REDUCTION OF ARMAMENTS : ARMAMENTS TRUCE.

130. The suggestion for an immediate truce in armaments made by Signor Grandi in the speech with which he opened the general debate in the Assembly, was followed by a resolution submitted by Denmark, Norway, the Netherlands, Sweden and Switzerland. This resolution urged the Governments invited to the Disarmament Conference “to show their firm determination to support the efforts to ensure peace and re-establish mutual confidence by abstaining, pending the result of the Conference, from any measure leading to an increase in the present level of their armaments.” Here was something concrete, and the importance of the resolution, taken in conjunction with the Italian speech, was at once apparent. Concern was reported from Paris, where the view was said to be held that before any such agreement as that proposed could become effective it would be necessary to hold a conference to decide the definition of the difference between increasing and maintaining armaments. French anxiety was not allayed by the decision of the Third Committee to invite the United States of America, Turkey and the Soviet to assist in the debate, these Governments having already attended the sessions of the Preparatory Disarmament Commission. After discussion the invitation was extended to all States invited to the Disarmament Conference, which involved the despatch of invitations to Argentine, Afghanistan, Brazil, Costa Rica, Ecuador and Egypt. Dr. Hugh Wilson, U.S.A. Minister at Berne, appeared on behalf of the United States of America, and invitations were accepted by Egypt, Turkey, Costa Rica and Brazil.

131. The Italian Delegation lost no time in putting forward a definite scheme in the form of an amendment to the resolution before the Committee, and the proposal was explained by General Marinis in the afternoon of the 21st September.

132. The Italian proposal was at once simple and precise and was in the form of a “gentleman's agreement,” it having been thought advisable to avoid the long technical discussions which would necessarily precede the signature of a formal convention. Its proposed duration was for one year. In regard to naval armaments it was proposed that no new keel should be laid.

South Africa anticipated conflicts arising in regard to the policy of their immigration laws in such disputes as the Japanese Delegation had in mind. Our colleague, Sir Muhammad Rafique, was freely consulted by the representatives of the Dominions on the legal and constitutional issues involved, and was able to exercise a mediating influence in the discussions which the Dominions delegates acknowledged with gratitude. Ultimately, on the 30th September, an agreement was reached between all parties. The conclusion was that the good offices of the Assembly or of the Council might be invoked in the manner provided for in Article 11 of the Covenant, even after it had been declared by the Court of International Justice that the matter of dispute lay solely within the domestic jurisdiction of one of the parties, and that such action as the Assembly or Council might see fit to take to conciliate the parties would not necessarily involve the making of any recommendation to either. It was thus hoped, without departing from the letter or the spirit of the Covenant, to facilitate the peaceful settlement of a class of disputes which have frequently terminated in wars in the past. The Protocol was accordingly amended in such a way as to make it clear that the aggrieved party in a dispute of this character would only be presumed to be an aggressor if it had disregarded a decision of the Court and refused to invoke the good offices of the Assembly or the Council before proceeding to measures of hostility. On the introduction in the First Committee of the amendments to the draft Protocol Sir Cecil Hurst, on behalf of the British Delegation, made an interpretative declaration regarding the relation between Article 11 and para. 8 of Article 15 of the Covenant, which we reproduce in Appendix II.

9. If the Protocol enters into force it is intended that the Covenant shall be amended at the Sixth Session of the Assembly in such a manner as to bring it into line with the terms of the Protocol. For the intervening period States non-Members of the League and non-signatories of the Protocol will be invited, when involved in a dispute with a signatory State, to conform to the procedure for pacific settlement provided in the Protocol. If they refuse and resort to war, the sanctions in the Protocol will be applied. In disputes with Members of the League who do not accept the Protocol only the procedure for settlement provided in the Covenant itself will be applicable. If, however, the Covenant is ultimately amended in accordance with the terms of the Protocol, these terms will remain in force in so far as disputes with States non-Members of the League are concerned.

10. In the explanation of the Protocol which we have attempted above no detailed reference has been made to the provisions of the draft Treaty of Mutual Assistance which it has been designed to supersede. In the general debates in the Assembly at the beginning of the session some speakers endeavoured to defend the provisions of the draft Treaty of Mutual Assistance against the criticisms formulated in the replies received from Governments. It became clear, however, after the passing of the Assembly Resolution of 6th September, that the draft Treaty was dead and that a new instrument was required to replace it. While, therefore, it does not seem necessary to recapitulate in detail the objections raised against the draft Treaty, we think it desirable to point out in what respects it is claimed that the Protocol meets these objections.

Both instruments are intended to secure the same object, viz., to afford such guarantees of security from aggressive warfare as will justify States Members of the League in reducing their armaments to the extent required in Article 8 of the Covenant, i.e., "the lowest point consistent with national safety and the enforcement by common action of international obligations." In the draft Treaty of Mutual Assistance it is proposed to achieve this end by requiring the Council to declare (by a unanimous vote) which of the two parties to a dispute likely to lead to hostilities is the aggressor, and to prescribe the measures to be taken by the other States Members of the League to carry out the economic, financial and military sanctions necessary to prevent the aggressor from levying war. Among other duties the Council is charged with the appointment of the higher command of the military forces to be employed for this purpose. On the other hand, States situated in a continent other than that in which the act of aggression has taken place are not called upon to co-operate in military, naval or air operations. The Council is also required to recognise and, if necessary, supervise the negotiation of special agreements between various groups of Powers for

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\* Pages 68-78 of the Report of the Delegates to the Fourth Assembly.

mutual defence or for the establishment of demilitarised zones. In return for the guarantees of security thus offered States Members of the League are required to undertake to co-operate in a general plan for the reduction of armaments. When this plan has been carried out States which are held to have departed from their undertakings to reduce or limit armaments will be regarded as committing acts of aggression.

The methods adopted to achieve the same object in the Protocol drafted at the Fifth Session of the Assembly are the recognition of the compulsory jurisdiction of the Court of International Justice in certain classes of disputes, and the acceptance of the principle of compulsory arbitration in other classes of disputes. The Protocol is thus based on legal and moral, rather than material, guarantees of security. Moreover it provides an automatic method of presumption of the aggressor in disputes generally; whereas the authors of the draft Treaty declared that no simple definition of aggression could be drafted, and proposed to leave to the Council complete discretion in declaring which party was the aggressor in a particular dispute. In the Protocol States undertake to apply loyally and effectively the sanctions which are contained in the Covenant, but they are not called upon to furnish military forces for employment under the control of a higher command appointed by the Council. The strength of the force which they undertake to furnish to carry out military sanctions is left to their own discretion as occasion arises.

The essential difference between the two instruments appears, therefore, to be that the draft Treaty of Mutual Assistance develops the relevant articles of the Covenant in such a manner as to constitute the Council of the League a supreme military council for defensive warfare, while, on the other hand, the Protocol emphasises the supremacy of the legal and conciliatory powers of the International Court and of the Council, relying on individual States to support the authority of their decisions by effective co-operation in defence of them when they are challenged.

11. On the 2nd October the Assembly passed unanimously the following resolution proposed in the Joint Report of MM. Benes and Politis on behalf of the First and Third Committees:—

The Assembly, having taken note of the reports of the First and Third Committees on the questions referred to them by the Assembly resolution of the 6th September, 1921,

Welcomes warmly the draft Protocol on the Pacific Settlement of International Disputes proposed by the two Committees of which the text is annexed to this resolution, and decides—

1 To recommend to the earnest attention of all the Members of the League the acceptance of the said draft Protocol

2 To open immediately the said Protocol in the terms proposed for signature by those representatives of Members of the League which are already in a position to sign it and to hold it open for signature by all other States

3 To request the Council forthwith to appoint a Committee to draft the amendments to the Covenant contemplated by the terms of the said Protocol

4 To request the Council to convene an International Conference for the Reduction of Armaments, which shall meet at Geneva as provided by the following stipulations of Article 17 of the draft Protocol —

In preparation for the convening of the Conference, the Council shall draw up, with due regard to the undertakings contained in Articles 11 and 13 of the present Protocol, a general programme for the reduction and limitation of armaments which shall be laid before the Conference and which shall be communicated to the Governments at the earliest possible date, and at the latest three months before the Conference meets

If by the 1st May, 1925, ratifications have not been deposited by at least a majority of the permanent Members of the Council and ten other Members of the League, the Secretary-General of the League shall immediately consult the Council as to whether he shall cancel the invitations or merely adjourn the Conference until a sufficient number of ratifications have been obtained”

5 To request the Council to put into immediate execution the provisions of Article 12 of the draft Protocol

The Assembly, having taken cognisance of the report of the First Committee upon the terms of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice,

Considering that the study of the said terms shows them to be sufficiently wide to permit States to adhere to the special Protocol, opened for signature in virtue of Article 36, paragraph 2, with the reservations which they regard as indispensable,

Convinced that it is in the interest of the progress of international justice, and consistent with the expectations of the opinion of the world, that the greatest possible number of States should, to the widest possible extent, accept as compulsory the jurisdiction of the Court, recommends States to accede at the earliest possible date to the special Protocol\*opened for signature in virtue of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice

Striking speeches were delivered in the Assembly debate on the Resolution, testifying to the measure of agreement reached on the subject of arbitration and

security, the chief among them being those of Lord Parmoor (whose speech we quote in Appendix IV), M. Briand, Mr. Henderson and M. Paul Boncour. It was announced in the course of the debate by the Delegations of France and Portugal that they had been empowered by their Governments to sign the Protocol immediately without reservations. It was afterwards announced that France had also signed the Protocol accepting the *ipso facto* jurisdiction of the Permanent Court of International Justice, and that the following other States had signed the Protocol for the Pacific Settlement of International Disputes :—Albania, Bulgaria, Czechoslovakia, Estonia, Greece, Latvia, Poland, Yugoslavia. Speakers from other Delegations, including Great Britain, Japan and Australia, in the concluding debates in the First Committee or in the Assembly, while expressing their own approval of the Protocol, stated that they could not pledge the approval of their Governments, whom they had had no opportunity to consult on its terms. Lord Hardinge and the Maharajah of Bikaner, having been compelled, on account of engagements in London, to leave Geneva on the 26th September, the vote of the Indian Delegation accepting the resolution was recorded by Sir Muhammad Rafique, who had represented India in the First Committee. The result of the debate on the resolutions was received in the Assembly with great applause. The President, whose eloquent closing speech we quote in Appendix IV, emphasised the importance of the advance made in this session of the Assembly in the cause of peace.

12. It will be observed that the proposals contained in the resolutions and the Protocol follow closely the lead given in the speeches delivered in the opening debates of the Assembly, especially those of the Prime Ministers of Great Britain and France. In the course of discussion in Committee a very close survey of the obligations contained in the Covenant of the League was undertaken. For instance, the implications involved in Article II of the Covenant as to the right of the Assembly and the Council to mediate in a matter in which the domestic jurisdiction of one party to a dispute is concerned were brought to light. We consider that the intricate provisions of the Protocol require most careful study by the competent authorities in their relation to the terms of the Covenant to which India has subscribed. India's geographical and political situation, as the Maharajah of Bikaner pointed out in his speech in the disarmament debate, renders her performance of some of the obligations imposed in the Protocol more difficult than for most States. Other outlying States Members of the League may also find these obligations embarrassing. The Delegation considered that no good purpose would be served by insistence on these obstacles in the course of the discussions, especially as the enforcement of the Protocol is so closely bound up with the decisions to be taken at the Disarmament Conference which is proposed shortly to be held. The object of abolishing wars of aggression and of reducing and limiting armaments for offensive warfare to the minimum necessary to ensure the peace of the world is one which the signatories of the Covenant were resolved to achieve. The difficulties which have since been encountered in making effective the obligations undertaken under the Covenant have been serious and real. But in our opinion these difficulties were honestly faced by the eminent statesmen who co-operated in drafting the instrument for the pacific settlement of disputes which is now opened for signature. For this reason we desire to commend the two resolutions to the earnest consideration of the Government of India, bearing in mind that its views on the question will be reached in close consultation with the British Government and with the Governments of the Dominions.

### Questions of Special Interest to India.

13. Before proceeding to give a detailed account of the other questions discussed at this session, we desire to call attention in particular to certain questions in which the Delegation considered that the interests of India were particularly affected :—

#### HEALTH ORGANISATION.

The Health Committee, whose constitution was determined by a resolution of the Fourth Session of the Assembly,<sup>2</sup> unfortunately contains no representative of India. India is, however, represented on the Permanent Committee of the International Office of Public Health, which by the above resolution was constituted the advisory Health Council of the League. Thanks to the munificence of the Rockefeller Foundation, the

<sup>2</sup> Page 14 of the Report of the Delegates to the Fourth Assembly

funds at the disposal of the Health Section of the League—the policy of which is subject to control by the Health Committee, are considerable. The Health Section, under its able and energetic Director, Dr. Rajchman, has initiated many useful and important enquiries into diseases of international significance, and has widened the scope of international health work. In the discussion on the Report of the Health Committee, the Maharajah of Bikaner, after complimenting the Committee on its achievements, advocated very forcibly the necessity for co-operation between the Health Committee and the Permanent Committee of the International Office of Public Health in Paris, and suggested means for the accredited spokesmen on public health matters of other countries, including India, not represented on the Health Committee, to comment on the programme of new work of the League Health Organisation before its final adoption by the Assembly. We give in its place a full account of the result achieved by the Maharajah's motion. It appears to us that the League, as well as India, would benefit by a closer contact between the Public Health Organisation in India and the League Health Section, and it is to be hoped that when a vacancy occurs on the Health Committee India's representative on the International Office of Public Health will obtain a seat upon it. This matter is one which, in our opinion, deserves the special attention of the Government of India.

#### ALLOCATION OF EXPENSES OF THE LEAGUE.

The necessary number of ratifications having been obtained, the amendment to Article 6 of the Covenant, providing that the expenses of the League should be borne by the Members in the proportion decided by the Assembly, had entered into force shortly before the Assembly session. The Report of the Allocation Committee (see Appendix III) stated that progress had been made in the investigations preliminary to the proposal of a permanent scale of contributions, but that the scale would not be ready yet for some time. The Delegation were therefore expecting to be called upon to vote for a further renewal of the provisional scale which has been adopted since 1922 from year to year. It was realised that if renewal of this scale were opposed it would no longer be possible for the Assembly to fall back upon the Postal Union scale of contributions, which had now ceased to be operative owing to the ratification of the amendment. Owing to payment by the Argentine of the arrears of its contribution, 35 units had become available for distribution this year, and might be employed in relief of the assessment of all contributing States or only of the more hardly-pressed States. Accordingly, China had submitted to the Assembly, before the opening of the session, a claim for the reduction of her contribution from 65 to 35 units on account of financial straits, and as soon as a sub-Committee of the Fourth Committee had been appointed to consider the Report of the Allocation Committee a number of claims for reduction of contribution were received from other States. The Indian Delegation submitted to the sub-Committee a claim for reduction of India's contribution by 15 units (reproduced in Appendix II). It had been hoped to secure that this claim would be met by the vote of the Assembly itself, but we quickly realised that India was unlikely to gain any considerable reduction in her contribution by initiating a discussion on the rate of assessment in the Assembly. Such a discussion would have afforded an opportunity to many other States in a less favourable financial situation than India to prefer competing claims. The Assembly Resolution whereby the Allocation Committee was again entrusted with the task of distributing available units in relief of the more hardly-pressed States is reproduced on pages 33-34 of our Report. We decided that India's interest would best be served by accepting the Resolution, especially as India would have been alone in opposing it in the Assembly, and the effect of her opposition would have been to undermine, for the time being, the financial basis of the League. We have since been informed that the Allocation Committee met on the 30th October, and decided, in addition to fixing the contribution of the Dominican Republic at one unit, to distribute the units available from the resumption of payments by the Argentine in such a manner as to reduce the contribution of India by five units, of China by 15 units, of four other countries by two units and of five other countries by one unit. The remaining three available units were distributed between all Members of the League by increasing the total number of units from 932 to 935. As a result India will pay a fraction of 60/935 of the total budget of the League for 1925, instead of 65/932. As the total budget amounts to 22,658,138 gold francs, India's contribution will be 1,453,997.8 gold francs, in lieu of 1,620,371.6 gold francs which have been paid for 1924. The Committee has been entrusted with the task of proposing

an improved provisional scale to come into force next year. This scale will no doubt be regarded as more authoritative than the provisional scale now in force, as it will be based on more scientific foundations, and the figure at which India is assessed in it will require careful examination.

14. We were glad to observe at this session the increasing prosperity and careful control of the League's finances. A token of the first is the decision to call for designs for construction of the Assembly Hall, and to finance the building of the Labour Office out of normal income of the League instead of by borrowings from the Bank. The projects involving expenditure proposed by other Committees were subjected to very careful financial scrutiny in the Fourth Committee (Budget and Finance). As a whole the recommendations of the Financial Supervisory Commission were accepted by the Fourth Committee and in the Assembly. Considerable reductions were effected in the budget of the Health Organisation. The grants towards organisations for refugee settlements and child welfare work, and for the preliminary enquiry in connection with Senator Ciraolo's scheme for assistance to States overcome by disaster were made subject to very strict conditions. There was an evident desire to avoid committing the League to undertakings not strictly within the terms of the Covenant, and which could not be shown to be of direct benefit to the Member States generally. The Delegation endeavoured to support this principle as far as possible in Committee discussions. We did not, however, oppose in the Assembly projects to which we had objected in Committee where it appeared likely that our vote against their adoption would be unsupported.

The gifts of the French and Italian Governments of institutions for Intellectual Co-operation and for the study of private Law in Paris and Rome respectively raised the difficult problem as to whether the creation of centres of League activity in the capitals of individual Member States was detrimental to the welfare of the League. In a discussion regarding the French proposal in the Assembly, Sir Muhammad Rasique pointed out, in a speech which we report in full in Appendix IV, that the generous offer of the French Government should not be refused unless the League itself was willing to furnish the financial support needed for a project which it had in effect approved.

This year the position of India in regard to opium traffic was not seriously challenged. In a speech delivered in the Assembly by the Chinese Delegate an allusion was made to Sir John Jordan's proposal that India's export of prepared opium should be reduced by 10 per cent. annually, but the matter was not debated further as it had no reference to the subject under discussion, viz., the report recommending the programme for the Opium Conferences to be held in Geneva in November.

#### General Remarks.

15. As far as the principal question before the Assembly, namely, that of reduction of armaments, security and arbitration, was concerned, the position of India, like that of the Dominions, was necessarily one of subordinate co-operation with the British Delegation. Such objections as the Delegation thought fit to urge against certain provisions in the drafts under consideration it was found more convenient to express in the informal meetings of the Empire Delegations than in open Committees or in the Assembly. We have already alluded to the valuable legal assistance afforded by Sir Muhammad Rasique in this respect. Many of the matters discussed at the Assembly, especially projects emanating from certain of the technical and social organisations of the League, were primarily of interest to States Members of the League in Europe. But the Indian Delegation could not consider itself wholly disinterested in such matters, if only for the reason that the financial provision which they might involve required careful consideration in the Fourth Committee, in connection with the budget of the League. A more intimate knowledge of the previous history of some of these proposals, which goes back over several sessions of the League, would have been required to enable the Delegation to debate them effectively. This, in our opinion, is an important ground for securing some further continuity in the composition of the Delegation to the League Assembly from year to year, a matter to which we observe that our predecessors have also drawn attention. In concluding this first portion of our Report we desire to express our appreciation of the honour of having represented India at a session of such great importance for the future of the League. While the Indian Delegation could only play a small part in the discussions, we consider that the presence of the Delegation was a useful reminder to the European States Members of the magnitude of the problems in which they were involved.

### Other Items on the Agenda.

16. The remainder of the general debate in the Assembly at the opening session was of a discursive character. The chief question discussed was the treatment of minorities. Professor Gilbert Murray (Great Britain), Count Apponyi (Hungary), M. Politis (Greece), Count Skrzynski (Poland), took part in the debate on this question. M. Hymans (Belgium), on behalf of the Council, replied to certain strictures made by Count Apponyi on the handling by the Council of representations from minorities. The items on the agenda were distributed among the six Committees as follows:—

#### COMMITTEE NO. I.

##### *Legal and Constitutional Questions.*

*Chairman*: Sir Littelton Groom (Australia); *Vice-Chairman*: M. Limburg (Netherlands); *Representative of India*: Sir Muhammad Rafique.

Subjects dealt with by the Committee:—

†*Item 8*.—Amendments to Article 16 of the Covenant.

*Item 11*.—Legal assistance to the poor.

\*Netherlands proposal for modification of Assembly Rules of Procedure (Article 27).

\*Swedish proposal for development of International Law.

\*Resolution No. 1 of Fifth Assembly, para. (2).

#### COMMITTEE NO. II.

##### *The Work of the Technical Organisations of the League.*

*Chairman*: M. Garay (Panama); *Vice-Chairman*: M. de Brouckère (Belgium); *Representative of India*: H.H. the Maharajah of Bikaner; *Substitutes*: The Maharaj Kumar of Bikaner; Sir Stanley Reed.

Subjects dealt with by the Committee:—

*Item 13*.—Intellectual Co-operation.

The work of the Committee, including (a) Senator Ruffini's scheme for the protection of scientific property; (b) meeting of experts on the revision of the International Convention for the Exchange of Publications; (c) proposal of the Spanish Government concerning the equivalence of degrees.

*Item 16*.—Report on the work of the Economic and Financial Committee, including the reconstruction of Austria and the reconstruction of Hungary.

*Item 17*.—Report on the work of the Organisation for Communications and Transit, including the results of the Second General Conference held in Geneva, November–December 1923.

*Item 18*.—Report on the work of the Health Organisation of the League, including the Epidemic Commission.

\*French Government's offer of an institute for Intellectual Co-operation at Paris.

\*Italian Government's offer of an institute of Private Law at Rome.

#### COMMITTEE NO. III.

##### *Armaments.*

*Chairman*: M. Duca (Roumania); *Vice-Chairman*: M. Politis (Greece); *Representatives of India*: Lord Hardinge of Penshurst, H.H. the Maharajah of Bikaner; *Substitute*: Sir Stanley Reed.

Subjects dealt with by the Committee:—

*Item 7*.—Reduction of Armaments. Report of the Temporary Mixed Commission.

*Item 28*.—Limitation of Naval Armaments. Resolution of the Council of 16th June 1924.

\*Draft Treaty of Mutual Assistance. Replies of Governments (Resolution No. 1 of Fifth Assembly, para. (1)).

\*Limitation of expenditure on Armaments.

\*Consideration of Armaments Year Book.

\* Subject added to the agenda during the Session.

† These figures relate to the provisional list of agenda circulated before the Session.

## COMMITTEE No. IV.

*Budget and Financial Questions.*

*Chairman* : M. Adatei (Japan); *Vice-Chairman* : M. Zamora (Venezuela); *Representative of India* : Lord Hardinge of Penshurst; *Substitute* : Mr. Patrick.

Subjects dealt with by the Committee :—

- Item 15.—Scheme for the reorganisation of the Latin American Bureau.
- Item 23.—Allocation of the expenditure of the League. Report by the Committee on the Allocation of Expenses.
- Item 24.—Budget for 1925, including the Budgets of the International Labour Organisation and of the Permanent Court of International Justice. Audit of Accounts for the fifth fiscal period (1923).
- Item 26.—Request of the Chinese Government for the reduction from 65 to 35 units of the proportion of expenses of the League of Nations allocated to China.
- Item 27.—Erection of a Conference Hall on the ground presented to the League of Nations by the Republic and Canton of Genoa and by the City of Geneva.
- <sup>2</sup>Pensions scheme for personnel of Court of International Justice.
- <sup>2</sup>Request from Panama Government concerning its contributions prior to 1923.

## COMMITTEE No. V.

*Social and General Questions.*

*Chairman* : M. Zahle (Denmark); *Vice-Chairman* : Senator Vanderveer (Canada); *Representative of India* : Sir Muhammad Rafiq.

Subjects dealt with by the Committee :—

- Item 9.—Principle of closer municipal relations. Proposal of Urban Government.
- Item 19.—Report on the work of the Advisory Committee on Traffic in Opium and other Dangerous Drugs.
- Item 20.—Report on the work of the Advisory Committee on Traffic in Women and Children.
- Item 21.—International Association for the Promotion of Child Welfare. Resolution of the Council of 11th March 1924.
- Item 22.—Refugee questions. Reports by the High Commissioner.
- <sup>2</sup>Protection of Women and Children in the Near East.
- <sup>2</sup>Mutual assistance for relief of Peoples overcome by disaster. M. Chao's proposal.
- <sup>2</sup>Proposal of Greek Government to transfer to Caucasus Armenian refugees, and creation of national home for Armenians.

## COMMITTEE No. VI.

*Political Questions.*

*Chairman* : M. Enckell (Finland); *Vice-Chairman* : Mr. J. McNeill (Irish Free State); *Representative of India* : Lord Hardinge of Penshurst.

Subjects dealt with by the Committee :—

- Item 12.—Slavery. Report of Experts in accordance with the resolution of the Fourth Assembly.
- Item 14.—Request by the Lithuanian Government referred by the Fourth to the Fifth Assembly. "Reference of certain questions to the Permanent Court of International Justice for an advisory opinion."
- <sup>2</sup>Report of the Permanent Mandates Commission.
- <sup>2</sup>Proposal of British, French and Belgian Delegations regarding Georgia.
- <sup>2</sup>Admission of Republic of San Domingo to the League.

**Election of non-permanent Members of the Council.**

17. On the 26th September the Assembly adopted the following Resolution proposed by the Chinese Delegation :—

"The Assembly reiterates the following Recommendation adopted unanimously by the Assemblies of 1922 and 1923:—

"This Assembly considers that the Assembly, in electing the six non-permanent Members of the Council, should make its choice with due consideration for the main geographical divisions of the world, the great ethnical groups, the different religious traditions, the various types of civilisation, and the chief sources of wealth,"

\* Subject added to the agenda during the Session.

On the 2nd October the following States were elected permanent Members of the Council:—Uruguay by 43, Brazil by 40, Czechoslovakia by 40, Sweden by 37, Spain by 36, Belgium by 34 votes.

The Indian Delegation voted for the above States, it having been represented that at a time when the question of the Protocol and the summoning of the Conference on Disarmament was under consideration it would be undesirable to attempt any change in the constitution of the Council.

### **Subjects referred to Committee I. (Legal and Constitutional Questions).**

#### **AMENDMENT OF ARTICLE 16 OF THE COVENANT.**

18. At the Fourth Session of the Assembly two amendments were proposed by the British Government to the text as amended at the Second Session of the Assembly of Article 16.\* The object of these amendments was to restore in the text of Article 16 the expression "nationals" in addition to the expression "persons residing" in the territory of States, where mention is made in the Article of the prohibition of intercourse—financial, commercial or personal—between a State resorting to war in disregard of the Covenant and other Members of the League. The Assembly at its Fourth Session decided to defer discussion of the amendments to the Fifth Assembly. A sub-Committee was appointed by the Fifth Assembly to examine the new proposals of the British Delegation, which were supported by the French Delegation. We reproduce in Appendix III the Report of the sub-Committee. The Assembly, on the 27th September, passed the following Resolution :—

##### **(1) Amendment of Article 16, para. 1, of the Covenant.**

The Assembly, noting that the amendment to Article 16, paragraph 1, of the Covenant, which was adopted by the Assembly at its second session, has not entered into force and appears to be open to objections which seem to render its entry into force impossible, and considering accordingly that it is no longer opportune for further Members of the League to ratify the said amendment, adopts in place thereof the following amendment, which it recommends should be ratified :—

"The latter part of the first paragraph of Article 16 of the Covenant shall read as follows :—

"which hereby undertake immediately to subject it to the severance of all trade or financial relations and to prohibit all intercourse at least between persons resident within their territories and persons resident within the territory of the covenant-breaking State and, if they deem it expedient, also between their nationals and the nationals of the covenant-breaking State, and to prevent all financial, commercial or personal intercourse at least between persons resident within the territory of that State and persons resident within the territory of any other State, whether a Member of the League or not, and, if they deem it expedient, also between the nationals of that State and the nationals of any other State, whether a Member of the League or not."

This amendment shall be submitted for ratification by the Members of the League.

A protocol embodying the amendment shall at once be drawn up in accordance with the principles adopted by the second Assembly for amendments to the Covenant.

##### **(2) Amendment of Article 16 of the Covenant, para. 2 of the original text, which becomes para. 5 of the text as amended in 1921.**

The Assembly decides to adjourn to the sixth Assembly (1925) the consideration of the amendment to Article 16, paragraph 2, of the Covenant, as originally drafted, which has been proposed by the British Government.

#### **NETHERLANDS DELEGATION'S PROPOSAL FOR AMENDMENT OF RULE 27 OF THE ASSEMBLY RULES OF PROCEDURE.**

19. The Netherlands Government proposed the following amendment :—

"There shall be added to Rule 27 of the Rules of Procedure of the Assembly a second paragraph worded as follows :—

"Provided that decisions of the Committee should be taken by the vote of the majority of the Members of the League represented at the meeting."

The proposal was of interest in view of its bearing on the question of the necessity for unanimity in decisions taken by the Assembly. In the sub-Committee which was appointed to consider the proposal further proposals were made by the Spanish, Chinese and French Delegations. The proposal of the Spanish Delegation was that if the amendment put forward by the Netherlands Delegation was adopted

\* Pages 8 and 9 of the Report of the Delegates to the Fourth Assembly.

the new second paragraph of Rule 27 of the Rules should be completed by the addition of the following further paragraph:—

"At the request of one or more Members of the Committee who have not voted in favour of a report adopted by a majority, the dissentient opinion with a statement of the reason for it shall be communicated to the Assembly at the same time as the report."

The Chinese Delegation proposed as an amendment to the Netherlands Delegation's proposal that the consent of any country mentioned in the resolution, or whose interests are principally or mainly affected by such a resolution, must first be obtained to the system of majority voting. The French Delegation proposed an additional amendment to the Netherlands Delegation's amendment, as follows:—

"Any delegate unable to attend a meeting may be represented at such meeting by the delegate of another Member of the League; the same delegate may not vote for more than two members."

The Report of the sub-Committee (which we reproduce in Appendix III) was to the effect that unanimity is only necessary at plenary meetings of the Assembly for the adoption of resolutions representing genuine decisions which are not connected with procedure and are binding on the States. Committee reports do not fall within this category, since they are merely a preliminary and provisional stage of the resolutions subsequently adopted by the Assembly. Although the ultimate voting of the Assembly must be unanimous, it does not follow that majority votes in Committees are ineffectual, experience showing that minorities on Committees do not, as a rule, attempt to prevent the adoption of other resolutions favoured by the majority when questions to which they relate come before the Assembly for decision. At the same time it was held that account may be taken in Committee of the opinions of minorities by amendment of resolutions already voted, with a view to meeting to some extent the objections raised. For this reason it was thought preferable not to bind the Committees by a rigid rule, but to allow them to continue to use the elastic procedure which has hitherto been followed.

All the amendments and proposals having been withdrawn, the Assembly on 18th September adopted the Report of the sub-Committee, placing on record its decision that there is no necessity for any amendment of Rule 27 of the Rules of Procedure.

The Assembly adopts the terms of the report of the First Committee (Document A. 72, 1921, V.), and decides that there is no necessity for any amendment to Rule 27 of the Rules of Procedure of the Assembly.

Assembly  
Resolution  
No. 4 (20  
Sept.)

#### LEGAL ASSISTANCE TO THE POOR.

20. The question of legal assistance to the poor was raised by the Norwegian Delegate at the Fourth Session of the Assembly, and referred for consideration at the Fifth Session. After preliminary enquiry by the Secretary-General a Committee of Experts met in Geneva in July of this year, the cost of the meeting being borne from a private source. The investigations of the Committee were confined to the provisions for assistance to the poor in matters of civil, as distinct from criminal law, in the case of nationals and of foreigners in the various countries. They examined the provisions in treaties for affording assistance to the latter, notably those contained in the Hague Convention relating to Civil Procedure of 17th July 1905. A sub-Committee was appointed by Committee I to consider the Experts' Report. The sub-Committee pointed out that there are two kinds of help in legal matters which fall within the general scope of the subject under consideration: (1) assistance in the actual conduct of litigation provided officially in the course of the regular administration of justice; (2) provision to poor persons not actually engaged in litigation of such advice or assistance as a paying client seeks from his lawyer in the ordinary relations of life. It recommended that information should be collated and published for the purpose of showing what are the arrangements by which in the various countries, and as between the various countries, help in legal matters is made available to the poor, and that the various Governments should each be invited to designate an authority or person to act as a centre of information to which application could be made from abroad for the purpose of ascertaining the existing facilities for the poor in legal matters. The Assembly, on 20th September, adopted the following Resolution:—

The Assembly decides—

1. To invite the Secretariat to prepare a list of the agencies, both public and private, which have been established in each country for the purpose of giving to poor persons legal assistance in connection

Assembly  
Resolution  
No. 7 (20  
Sept.)

with litigation in the courts or free legal advice and consultation; and of international organisations that are interested in providing or securing legal assistance to poor persons.

This list shall be printed and distributed to the various Governments and be available for the agencies named therein and for other interested institutions.

This list shall be revised by the Secretariat from time to time in order that it may mention agencies that may hereafter be established or abolished.

2. To invite the Secretariat to collect the various treaties, laws, and other provisions regulating legal assistance to poor persons in the various nations and between the various nations.

Such treaties, laws and other provisions or summaries thereof shall be published and distributed to the various Governments and be made available to the agencies mentioned in the list of legal-aid associations and to other interested institutions.

3. To invite each Government to nominate an authority or other duly qualified person who will answer enquiries from authorities or other duly qualified persons in other countries, with regard to the facilities afforded in the country applied to for giving legal advice and assistance in litigation to poor persons in other countries.

The list of authorities or persons so designated by the various Governments shall be published by the Secretariat from time to time.

4. To request the Secretary-General of the League of Nations to ask the various States, including States not Members of the League, whether they would be disposed to become parties to a Convention dealing with free legal aid for the poor on the basis of the principles formulated in Articles 20 to 23 of The Hague Convention, of the 17th July, 1905, and whether possibly they would desire to propose any modification of such principles.

5. To request the Secretary-General to transmit to the Governments the report A. 31.1924. V., concerning international arrangements for legal assistance for the poor.

#### PROPOSAL OF THE SWEDISH GOVERNMENT CONCERNING THE DEVELOPMENT OF INTERNATIONAL LAW.

21. On the 8th September the Swedish Delegation brought forward, in the debate on the Report on the work of the Council, a proposal that the Assembly should consider whether the time had not come for the League to determine in what particular directions the further development of international law should be pursued. It was pointed out that progress in this direction had already been made by means of the Convention concluded at Barcelona on Transit, the Conventions on the Traffic in Women and Children, on the Simplification of Customs Formalities, on the Protection of Racial, Religious and Linguistic Minorities; while other Conventions, such as those concluded between certain Northern States to establish a procedure for enquiry into and settlement of disputes, had also recently been registered at the Secretariat. The Swedish Delegation advocated that special investigations should be conducted, under the auspices of the League, with a view to determining the items or subjects of international law, public or private, which might usefully be examined with a view to their incorporation in International Conventions or in other International Instruments. The proposal of the Swedish Delegation was considered in the First Committee and referred by it to a sub-Committee. The question was discussed in the Assembly on 22nd September, when it was pointed out by various speakers that some progress had already been made in the systematisation of international law in conferences on private international law at The Hague and on maritime law in Belgium, while in America codification of international law had been carried out in successive Pan-American Conferences. Several speakers emphasised that sufficient time must be given for any useful work in this direction to be undertaken by the League.

On the same date the Assembly adopted the following Resolution:—

The Assembly, considering that the experience of five years has demonstrated the valuable services which the League of Nations can render towards rapidly meeting the legislative needs of international relations, and recalling particularly the important conventions already drawn up with respect to communications and transit, the simplification of Customs formalities, the recognition of arbitration clauses in commercial contracts, international labour legislation, the suppression of the traffic in women and children, the protection of minorities, as well as the recent resolutions concerning legal assistance for the poor;

Desirous of increasing the contribution of the League of Nations to the progressive codification of international law;

Requests the Council to convene a committee of experts, not merely possessing individually the required qualifications but also as a body representing the main forms of civilisation and the principal legal systems of the world. This committee, after eventually consulting the most authoritative organisations which have devoted themselves to the study of international law, and without trespassing in any way upon the official initiative which may have been taken by particular States, shall have the duty—

1. To prepare a provisional list of the subjects of international law the regulation of which by international agreement would seem to be most desirable and realisable at the present moment;

2. After communication of the list by the Secretariat to the Governments of States, whether Members of the League or not, for their opinion, to examine the replies received; and

3. To report to the Council on the questions which are sufficiently ripe and on the procedure which might be followed with a view to preparing eventually for conferences for their solution.

## Subjects referred to Committee II. (Technical Organisations.)

### RECONSTRUCTION OF HUNGARY.

22. The action taken for the reconstruction of Hungary was summarised in a special Report of the Financial Committee. It became apparent early in 1923 that, unless an external loan could be raised, Hungary would be unable to stabilise her currency. The conditions prescribed by the Reparation Commission for the raising of a loan were found by the Hungarian Government too onerous to be carried out. The Council of the League, in September 1923, accepted conditional responsibility for preparing a scheme of financial reconstruction. A scheme was elaborated in the Financial Committee and adopted by a Resolution of the Council on 20th December 1923, under which the Governments of Great Britain, France, Italy, Roumania, Jugo-Slavia and Czecho-Slovakia undertook to assist the Hungarian Government on lines somewhat similar to those adopted in the case of Austria. The details of the action taken under the scheme are contained in the Report of the Commissioner-General, Mr. J. Smith (which we reproduce in Appendix II).

The progress made in the financial reconstruction of Hungary was discussed on the 9th September in the Second Committee. It was pointed out that the scheme had already achieved a considerable measure of success, and that the secret of this success lay in the disinterestedness of the control which was exercised. Special attention was drawn to the fact that no guarantees, such as had been necessary in the case of the Austrian loan two years ago, had been found necessary for the Hungarian loan, a proof of the increase in the confidence inspired by the League.

The Assembly adopted, on the 11th September, the following Resolution :—

The Assembly, having examined the account of the work of reconstruction in Hungary contained in the general report of the Council to the Assembly (Documents A. 8 and A. 8 (a). 1924)—

Assembly  
Resolution  
No. 2  
(11 Sept.).

1. Notes with lively satisfaction that once more, under the auspices of the League of Nations, and on the basis of a plan prepared by its Financial Committee, the reconstruction of another European country is being successfully achieved.

2. Believes that, as in the case of Austria, this work could only be carried out by international co-operation, and notes with great satisfaction the active association of many countries in the work, whether by the signature of the Protocols or through the issue of the loan—United States of America, Czechoslovakia, France, Great Britain, Hungary, Italy, the Netherlands, Roumania, the Kingdom of the Serbs, Croats and Slovenes, Sweden and Switzerland.

3. Believes that the association of these countries in co-operative work of this kind both reflects an improvement in political relations and that it has led, and will lead, to beneficial results extending beyond the financial reconstruction which is the primary object of the scheme.

4. Observes in particular that the principle of reconstruction based upon the re-establishment of sound public finance has been successfully combined with an arrangement limiting and fixing over the next twenty years payments in respect of Treaty charges, and that, as in the case of Austria, the execution of the work rests upon a control exercised impartially through a high officer of the League—a national of the United States of America.

5. Observes that once again the immediate end to which the authors of this plan have addressed themselves is financial rather than economic in character, in the belief that the renewal of confidence brought about by a sound financial policy will have a beneficial effect on the economic condition of the country. In this connection the Assembly desires, however, to emphasise the importance of the Financial Committee's recommendations as to economic policy and development. It hopes that the work begun in Hungary—as in Austria—may be completed by such national or international measures and agreements as will foster the resumption of free and normal trade relations.

6. Desires once more to express its appreciation to the members of the Financial Committee, whose ability, patience and judgment have produced a plan based, like the Austrian one, on general principles of sound finance, but adapted to the peculiar conditions of another country; to the Hungarian Government for the energy and dispatch with which it has entered into the plans prepared with its collaboration; to those—and in particular to Mr. Jeremiah Smith, Commissioner-General—whose administrative work has set the plan working with every prospect of its reaching a successful conclusion; and, lastly, to all those who in many countries have brought about the issue of the entire reconstruction loan.

7. Observes with pleasure that all the internal legislation required by the scheme has been passed; that the new National Bank has been founded and that inflation has stopped; that the administrative reforms have begun; that taxation receipts are improving, the yield of the revenues assigned for the service of the loan far exceeding the conservative estimates made at the time the scheme was constructed; and in general that the scheme has been well launched under the best auspices for its complete success.

### RECONSTRUCTION OF AUSTRIA.

23. An account of the progress made in the reconstruction of Austria in accordance with the scheme adopted in 1922 was contained in the Report of the Financial Committee to the Council which was summarised in the General Report of

the Council to the Fifth Assembly. During the early months of 1923 Austria passed through an industrial, agricultural, and financial crisis, chiefly due to a wave of speculation which had swept over the country and resulted in losses on exchange amounting to 58 million French francs. Since that date the Financial Committee had recommended to the Austrian Government that the accounts of Austrian companies should be drawn up as far as possible on a gold franc basis, that a legal relationship should be established between the Austrian crown and an actual weight of gold, and that changes should be made in certain forms of taxation and in the present financial legislation of Austria. The object of these measures was to re-establish Austrian credit. The Financial Committee pointed out that the chief need of Austria was foreign capital, and that an increase of confidence would be created if measures were taken to bring foreign capital into the country. The measures adopted by the Austrian Government as a result of the recommendations of the Financial Committee had already remedied the financial crisis, and it was to be hoped that the realisation of budget equilibrium which had been achieved would eventually bring about a sounder economic position.

The Assembly adopted on the 25th September the following Resolution:—

"The Assembly is glad to note the progress in the work of Austrian reconstruction taken in hand under the auspices of the League of Nations. It notes the decision of the Council prescribing the conditions under which the system of budget control can properly be modified at an early date and subsequently terminated."

#### OTHER WORK OF THE FINANCIAL COMMITTEE.

24.—(a) *Greek loan.*—After the conclusion of the Fourth Session of the Assembly the Council approved, and Greece signed, after negotiations with the Financial Committee, a Protocol creating a Refugee Settlement Commission, and containing provisions for facilitating an international loan to supply the necessary funds for the settlement of these refugees. During the year 1923, as a result of the events in Asia Minor, an enormous horde of refugees, estimated at over one million, fleeing from Asia Minor, had scattered over Thrace, Macedonia and Greece. The Refugee Commission is composed of four members, of whom two are Greeks and two are appointed by the League of Nations, viz., Mr. Henry Morgenthau (Chairman), formerly United States Ambassador, and Mr. J. Campbell, Indian Civil Service (retired). The Commission, in co-operation with the Greek Government, has been able to obtain from the Bank of England advances up to 3,000,000*l.* paid through the National Bank of Greece. Greece is authorised to issue an international loan up to a maximum of 10,000,000*l.* by the Protocol drawn up on the recommendation of the Financial Committee. The loan is to be secured on land and houses occupied by the refugees, the repayments made by the refugees of the advances made to them, and—most important—fiscal securities to be assigned by the Greek Government to the service of the loan (customs, tobacco, liquor duties, &c.). Hitherto the situation of the general position of the money market has prevented the Greek Government from issuing the loan. The Financial Committee of the League has advised that adequate security for a loan of 10,000,000*l.* can now be offered. The Assembly adopted on the 25th September the following Resolution:—

1. The Assembly learns with great satisfaction the progress made during the last year in the difficult and important task of settling the Greek refugees in productive employment.

It notes the establishment and successful working of the Greek Refugees Settlement Commission; the arrangements made to finance the work of the past year through temporary advances amounting to £3,000,000 sterling; the allocation of suitable land by the Greek Government; the housing and establishment upon the land and, to a smaller extent, in industry of a large proportion of the refugees.

The Assembly further notes with satisfaction the improvement in the stability of Greek political conditions, the improved economic position, and the maintenance of a steady value of the Greek currency.

It is glad to learn that the Council, on the advice of the Financial Committee, considers that the time has now arrived when the whole scheme may be placed upon a definite financial basis by the issue of the long-term loan; and that, in view of the above favourable circumstances, the land and revenues proposed for assignment in the Protocol afford a sufficient security for the total sum of £10,000,000 required to complete the work of establishing all the suitable refugees.

The Assembly expresses in conclusion the earnest hope that the loan may be successfully issued and that the whole of the undertaking, so vital to the economic and political stability of Greece, may be carried through to a successful conclusion.

(b) *Other Questions.*—The Economic and Financial Organisation have continued their work in connection with the Free City of Danzig, the periodical publications of the League of Nations on financial subjects, and the study of the problems of fiscal

evasion and double taxation. The Assembly adopted on the 25th September the following Resolution on this subject:—

The Assembly, in addition to the special resolutions concerning the reconstruction of Austria and Hungary, and the proposal of an international loan in favour of the Greek refugees:

Assembly  
Resolution  
No. 15  
(25 Sept.).

Notes with satisfaction the other work of the Economic and Financial Organisation in the financial sphere, particularly as regards the Free City of Danzig, the periodical publications of the League of Nations on financial subjects, and the study of the problems of fiscal evasion and double taxation.

As regards the latter point, it hopes that the agreement of principle already reached by the experts will rapidly be given final shape and applied on the lines which may be determined by the Financial Committee and the Council.

#### WORK OF THE ECONOMIC COMMITTEE.

25. The Second Committee discussed the work of the Economic Committee at its meeting on the 20th September. The Report of the Committee on this subject is reproduced in Appendix III. Particular satisfaction was manifested at the success of the Conference on Customs Formalities held at Geneva in November 1923, and the progress made in the signature and ratification of the Convention for the Simplification of Customs Formalities then adopted. The representatives of Italy, Hungary, and South Africa laid stress on the need for removal of all hindrances to international commerce in the nature of import restrictions. The Resolution proposed by the Second Committee on the subject was adopted in the Assembly on the 25th September. It reads as follows:—

1. The Assembly records with great satisfaction the success achieved by the International Conference for the Simplification of Customs Formalities and hopes that the Convention at which the Conference arrived may be ratified with the shortest delay by the largest possible number of States. It notes, further, that the Convention constitutes only the first, though a very important, stage in the improvement of international commercial relations, and it hopes that the Economic Committee will do its utmost to make further progress in the same direction;

Assembly  
Resolution  
No. 20  
(25 Sept.).

2. Takes note of the proposals of the Committee aiming, by means of amendments and additions to the Industrial Property Convention, at more effectual protection against unfair competition, and expresses the hope that these proposals may receive the support of the States Members on the occasion of the forthcoming Conference for the Revision of the Convention for the Protection of Industrial Property;

3. Takes note of the investigations of the Economic Committee regarding the protection of the foreign buyer against worthless goods, and of the conclusions reached. The Committee strongly urges that all the arrangements provided in exporting countries for testing, verifying, and certifying the quality of goods should always be freely available for the benefit of the foreign buyer as well as for that of the home consumer, and that these facilities should be developed and extended and their existence be brought to the knowledge of foreign buyers by suitable methods of publicity;

4. Notes the progress made by the Economic Committee in the study of the question of the treatment to be accorded to foreign nationals and enterprises in the study of economic crises and with regard to the unification of methods of statistics;

5. Again draws the attention of the States Members to the great benefit which international trade would derive from the prompt ratification by the largest possible number of States of the Protocol on Arbitration Clauses;

6. With reference to paragraph 1 of Article 3 of the Convention relating to the Simplification of Customs Formalities, which has already been signed by thirty-one States and ratified by six;

Considering that the system of import and export prohibitions and restrictions constitutes a serious impediment to the free development of international trade, and also

That the general situation might in future be favourable to action in this sphere;

Desires the Council to instruct the Economic Committee to consider the possibility and expediency of an agreement between States Members of the League and States non-Members with a view to the final suppression of import and export prohibitions and restrictions and, if necessary, to suggest the most suitable methods of achieving this object. Provisions relating to the protection of the vital interests of States shall not be affected.

#### INTELLECTUAL CO-OPERATION.

26. The Report of the Committee on Intellectual Co-operation was discussed on the 13th, 16th, 17th and 18th September in the Second Committee. On the 12th September the Council had adopted a resolution accepting in principle the offer by the French Government of an Institute of Intellectual Co-operation in Paris, together with funds amounting to a million French francs a year for its endowment, and had referred for consideration in the Assembly the following points:—

- (1) The finance of the new Institute.
- (2) The administrative and juridical conditions governing its work.
- (3) The relations between it and the existing international intellectual Institutes.

Professor Gilbert Murray, in opening the discussion in the Committee, pointed out that the record of the work of the Committee on Intellectual Co-operation during

the past year was a limited one, owing to the fact that the resources placed at its disposal, about 132,000 Swiss francs, were wholly insufficient. The chief objects of study by the Committee had been the question of the supply of books and publications, Signor Ruffini's plan for extending the system of patents to intellectual property, the elaboration of a common system of analytical bibliography, the drafting of a Convention for the exchange of publications, the publication of a semi-official list of the most important publications in all countries, a bulletin of University information, the collation of information on educational administration and the system of exchange of professors and students. Other speakers, including Professor Bergson (France), a Member of the Committee on Intellectual Co-operation, and M. de Bronckère (Belgium), drew attention also to the insufficiency of the funds at the disposal of this organisation. Considerable time was occupied in the discussion of the replies to be given to the Council's inquiries regarding the Institute of Intellectual Co-operation offered by the French Government. It was held by Mr. Charlton (Australia) that it was a dangerous precedent to allow an Institute of this character to be set up in the capital of an individual State, and that its control by the League would be impossible there. The question of the nature of the control to be exercised from Geneva was one of some difficulty. While Professor Gilbert Murray was of opinion that the staff employed at the Institute should be under the control of the Secretary-General, the Secretary-General saw difficulty in extending his functions to this extent. Finally, it was determined to recommend to the Council that the powers and duties of the Institute should be defined by the Committee on Intellectual Co-operation in accordance with principles laid down by the Committee itself and with the instructions of the Council and the Assembly; that agreements necessary to ensure the establishment, continuity, and proper working of the Institute should be drawn up by the Council; that under these agreements the administration of the Institute should be entrusted to the Committee on Intellectual Co-operation, under which a Committee of Directors, comprising five persons of different nationalities, should be appointed; that the budget and accounts of the Institute should be communicated to the Council and Assembly; that the accounts should be audited by the Chief Auditor for the League; and that the relations between the Paris Institute and other institutions of an intellectual character should be determined by the Committee on Intellectual Co-operation.

Professor Gilbert Murray presented the Report on the work of the Committee on Intellectual Co-operation to the Assembly. Mr. Charlton (Australia) again pressed his objections to the acceptance of the French Institute, and was supported by Sir James Allen (New Zealand). Sir Muhammad Ralique, in a speech which we quote in full in Appendix IV, said that the continuance of the work of the Committee on Intellectual Co-operation was necessary. If, in order to maintain the essentially international character of the enterprise, it was necessary to establish the Institute at Geneva, the League must consent to make the necessary sacrifices in order to ensure the development of intellectual co-operation. If the offer of France were rejected, it was for the Assembly to vote the necessary credits. Sir Muhammad went on to point out that the efforts of the Committee on Intellectual Co-operation would result in spreading a wider knowledge of Indian culture and in developing collaboration between the East and the West; and that it would acquire a new force and value if it remained in close contact with the Indian Universities, not only those which had been founded upon the Western model, but also the great Hindu and Muhammadan Universities established by the Governments, Princes and peoples of India. Finally, in response to an appeal from M. Jouvenel (France), Sir Littelton Groom (Australia) stated that the Australian Delegation would not oppose the proposals of the Second Committee for acceptance of the offer of the Institute. It merely wished to emphasise the principle that institutions connected with the League of Nations should, as far as possible, be concentrated at the seat of the League. The following Resolutions and Recommendation were adopted unanimously by the Assembly:—

Assembly resolution  
No. 14  
(3 Sept.)  
1. The Assembly records with great satisfaction the fact that the system of forming national committees on intellectual co-operation is making steady progress.

It requests the Council to make further representations to the Governments of those States which have not yet formed such national committees, inviting them to promote the creation of such committees and, if possible, to give them financial support in their work of mutual assistance in intellectual matters.

2. The Assembly shares the opinion of the Council that it would be highly desirable to convene a conference of experts to consider the various problems raised by the question of scientific property, especially in the reports of Senator Ruffini and the replies of the various Governments regarding this.

question. It requests the Committee on Intellectual Co-operation to organise such a meeting in 1925, after consultation with the Economic Committee.

3. The Assembly notes with satisfaction the important results obtained by the Committee on Intellectual Co-operation in regard to the co-ordination of bibliographical work in the domain of physics, and requests the Committee to undertake a similar task in regard to the other sciences, particularly the social sciences.

4. The Assembly, noting that the Council has approved in principle the draft agreement with the Institut international de Bibliographie at Brussels, approves this agreement.

5. The Assembly adopts the report of the Committee of Experts on the international exchange of publications. It relies on the good offices of the Belgian Government to obtain the partial adherences to the Brussels General Convention of 1886, provided for in the first resolution of the Committee of Experts.

It also requests the Council to invite all States, whether signatories of the Conventions of 1886 or not, to consider the possibility of accepting the new Convention for the Exchange of Scientific and Literary Publications proposed by the Committee.

6. The Assembly instructs the International University Information Bureau to embody in one draft all the recommendations of the Committee on Intellectual Co-operation in university matters.

In view of the proposals made by the Spanish Government at the fourth Assembly, and the suggestion made at the Second Committee by the Persian delegate with regard to the equivalence of degrees, the Assembly asks all States to communicate what steps they have taken, or intend to take, in the direction indicated by the Committee on Intellectual Co-operation, with a view to attaining as far as possible the aims referred to in the said proposals.

7. The Assembly, noting with satisfaction that a considerable number of States have replied favourably to the recommendation adopted last year that students should be provided with special travelling facilities, invites all the States—

- (a.) To consider favourably applications from students' associations for measures to facilitate interchanges of students;
- (b.) To grant similar travelling facilities to duly qualified teachers and scholars going abroad in the interests of science;
- (c.) To found scholarships for the purposes indicated in paragraphs (a) and (b).

8. The Assembly, being convinced of the necessity of solidarity among the nations, and having witnessed the results of such solidarity in certain countries in the sphere of economics and finance, would be happy to see this principle applied in the sphere of intellectual life.

It invites the Committee on Intellectual Co-operation to examine and, if necessary, to refer to the Financial Committee the question of an international loan, under the supervision of the League of Nations, intended exclusively for intellectual development in the countries of those Members of the League which may desire it.

9. The Assembly expresses the wish that the Committee on Intellectual Co-operation should make—under the Council's authority—the same appeal to the universities, academies and other scientific bodies, on behalf of the intellectual workers of Hungary, which it made in November 1922 on behalf of the intellectual workers in Austria. The Council is respectfully asked to act with regard to that matter in the same way as it acted in the case of Austria.

10. The Assembly, being convinced of the fundamental importance of familiarising young people throughout the world with the principles and work of the League of Nations, and of training the younger generation to regard international co-operation as the normal method of conducting world affairs:

In view of the resolutions adopted by the fourth Assembly regarding the encouragement of contact between young people of different nationalities, and concerning the instruction of youth in the ideals of the League of Nations:

Is of opinion that further steps should be taken to promote these objects:

And therefore instructs the Secretariat to investigate the means by which efforts to promote contact and to educate the youth of all countries in the ideals of world peace and solidarity may be further developed and co-ordinated, and to furnish a report to the sixth Assembly.

#### *Recommendation.*

In reply to the three questions asked by the Council,

In view of the fact that the above resolutions and, in general, the whole programme of the League of Nations as regards intellectual co-operation will be carried out more easily with the assistance of the International Institute which the French Government has proposed to found and place at the disposal of the League of Nations, the Assembly notes that the Council has accepted, in principle, this generous gift, for which it desires to express its deepest gratitude.

Being desirous of emphasising the international character which this Institute should possess, both as regards the programme of its work and the choice of its staff, in accordance with the intention of the French Government and of the Council:

The Assembly expresses the following recommendation:

- (a.) The powers and duties of the new Institute shall be defined by the Committee on Intellectual Co-operation in accordance with the principles laid down by the Committee itself—after such consultations as may be necessary to avoid overlapping—and with the instructions of the Council and the Assembly. These powers and duties may subsequently be enlarged by the Committee with the consent of the Council and the Assembly.
- (b.) The Council of the League of Nations is invited to conclude with the French Government all agreements necessary to ensure the establishment, continuity and proper working of the Institute.

In accordance with these agreements, the administration of the Institute shall be entrusted to the Committee on Intellectual Co-operation, acting as a governing body. The latter shall, with the approval of the Council, appoint five persons of different nationalities,

who shall form a Committee of Directors. The powers and duties of the Committee of Directors, which shall meet at least once every two months, the term of office of its members and the system of rotation by which its membership shall be renewed, shall be determined by the Committee on Intellectual Co-operation.

The budget and accounts of the Foundation will be communicated to the Council and the Assembly. The accounts will be audited at least once a year by the Chief Auditor of the League, and his report will be annexed to the budget and the accounts.

- (c.) The Committee on Intellectual Co-operation shall determine in each case, after consulting the parties concerned and in agreement with them, the relations with the International Institute of the institutions mentioned in the resolution of the Council, or any other institutions of an intellectual character.

The Committee on Intellectual Co-operation will be ready to collaborate with these institutions with a view to solving particular problems, without, however, interfering in any way with their autonomy.

After the adoption of the Resolution, Mr. Charlton explained that personally he maintained his opposition to the proposal, although not entitled to vote against it.

#### ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

27. The work of this Organisation was discussed in the Second Committee on the 18th September. Special stress was laid on the agreements concluded at Geneva in December 1923 relating to the International Régime of Railway and Maritime Ports and electrical questions, but it was pointed out by Sir Hubert Llewellyn Smith (Great Britain) that their results would only remain provisional so long as States which had co-operated in negotiating the Conventions refrained from signing and ratifying them. M. Privat (Persia) urged the necessity for a revision of the London Convention of 1912, in view of the enormous development in radio-telegraphy, and recommended that special rates should be given by States Members of the League to Esperanto, side by side with the national languages in use, as a language *en clair* in telegraphic and radio-telegraphic communications. The Brazilian Delegation emphasised the importance of the technical work carried out by the Organisation in regard to maritime signalling (buoys, lighting of coasts, &c.). The following Resolution\* was adopted by the Assembly at its meeting on the 20th September:—

1. The Assembly notes with satisfaction the report of the Advisory and Technical Committee for Communications and Transit on the work accomplished by the Organisation for Communications and Transit between the fourth and fifth Assemblies;

Expresses its gratification at the success of the second General Conference on Communications and Transit and hopes that as far as possible the States whose Governments have voted the Conventions adopted will, before the closing of the Protocol of Signature, sign the Conventions and will proceed to the necessary ratifications as soon as possible;

Gives its general approval to the procedure adopted by the Advisory and Technical Committee for Communications and Transit in conducting its investigations and solving the disputes submitted to it;

And invites the Governments concerned to facilitate, as in the past, the work of the Committee for Communications and Transit and its Sub-Committees, with a view to the general improvement of the regime of transport and to the development of international law in the domain of international communications, in conformity with Article 23 (e) of the Covenant.

2. The Assembly draws the attention of the Council to the extreme urgency of giving effect to the proposal already submitted to the Council for a revision of the London Convention of 1912, particularly in view of enormous development in radio-telephony.

3. The Assembly recommends that the States Members of the League of Nations should grant to Esperanto, as a practical auxiliary language for international communications side by side with the national languages in use, the treatment and the charges in force for a language *en clair* in telegraphic and radio-telegraphic communications. It draws the attention of the Organisation for Communications and Transit to this question.

#### HEALTH ORGANISATION.

28. Reference has already been made in para. 13 of our Report to the question of the relations between the Health Committee of the League and the International Office of Public Health. The work of the Health Organisation of the League was discussed in the Second Committee on the 11th, 12th and 13th September. It was proposed by Dr. Caballero (Paraguay), who had been appointed *rapporteur* on this subject, to approve without much comment the programme of the Health Committee and the results already obtained by its work. The Maharajah of Bikaner pointed out (in a speech which we report in full in Appendix IV) the need for closer contact between the Permanent Committee of the International Office of Public Health in Paris and the Health Committee of the League, especially in view of the fact that many Governments represented on the former body had no direct representation on

\* The Report of the Second Committee on the Organisation for Communications and Transit is reprinted on p. 88.

the Health Committee of the League. His suggestion was that the opinion of the Permanent Committee of the International Office might be obtained on the programme of work proposed by the Health Committee before it was finally adopted by the Assembly. The views of the Maharajah were supported by the British, Netherlands, and South African Delegates. On the proposal of the Dutch Delegate a sub-Committee was appointed to consider the relations between the Health Committee and the Permanent Committee of the International Office of Public Health. In the sub-Committee the Director of the Health Section of the League raised a number of objections to the proposal of the Maharajah. He maintained, in particular, that it would be unconstitutional for a body outside the organisation of the League to review the work of an organ of the League. It was, however, pointed out by M. van Eysinga (Netherlands), who was supported by M. Pironti (Italy), that the internal regulations of the Health Organisation themselves provided for close collaboration between the Health Committee and the Permanent Committee of the International Office in its capacity of Advisory Health Council of the League. A resolution drafted by the sub-Committee was brought before the Second Committee on the 12th September, and adopted in the following form by 24 votes to 5 :—

“The Assembly requests the Health Committee to communicate to the Permanent Committee of the Office International d’Hygiène Publique at Paris the report setting out the questions with which the Health Committee proposes to deal (a procedure in conformity with Article 4<sup>th</sup> of the Rules of Procedure) at such a date as to permit the Committee to make before the next Assembly any observations to the Health Committee which appear to it desirable.”

The Chairman then declared that he ruled that the resolution raised a constitutional issue, and therefore, as it had not been carried unanimously, it fell to the ground. After the meeting separated, the Maharajah of Bikaner wrote to the Chairman, contesting the ruling, asserting that the resolution dealt with procedure, not with the constitutional position, and that it simply recommended a course of procedure with a view to the observance of Article 4. His Highness intimated his intention of raising the question on a point of order at the next meeting of the Committee. No reply was received to the letter, but ultimately in the official record the resolution was stated to have been passed by 24 votes to 5, without any reference to the constitutional issue, and at the next meeting of the Committee the Chairman intimated to the Maharajah that, on consideration, he had decided that the majority vote of the Committee should stand.

A further question arising out of the work of the Health Section was the reduction recommended by the Financial Supervisory Commission in the budget of the Organisation proposed by the Health Committee. It was maintained by various members of the Committee that the reduction of the health budget by the sum of 250,000 francs would seriously interfere with the efficiency of the Organisation, and it was finally decided to transmit to the Fourth Committee the minutes of the meetings of the Second Committee held on 11th and 12th September, setting forth the views of the latter regarding the value of the work of the Health Organisation. The final decision on this question is discussed under the heading of the budget in the proceedings of the Fourth Committee.

Before the meeting of the Assembly on the 20th September, at which the work of the Health Organisation was to be discussed, it was intimated to us by the British Delegation that certain minor alterations had been suggested in the form of wording of the paragraph of the resolution dealing with the relations between the Health Committee and the Permanent Committee of the Paris office, which, if accepted, would prevent opposition to the passing of the resolution in the Assembly on the part of the delegations forming the minority in the Committee. The Assembly adopted unanimously the following Resolution,† para. 5 of which had been redrafted with the concurrence of the *rapporiteur* and of the Indian Delegation :—

1. The Assembly, after examining the report of the Health Committee on the work accomplished by the Health Organisation between the fourth and fifth Assemblies, notes with satisfaction that the Health Committee has been definitely constituted in accordance with the scheme approved by the fourth Assembly.

2. The Assembly considers that the work accomplished by the Health Organisation is in conformity with the duties entrusted to it by Article 23 (f) of the Covenant, and that it is instrumental in promoting valuable international co-operation in health matters.

3. The Assembly approves the work of the Service of Epidemiological Intelligence and Public Health Statistics and the results obtained from the carrying out of the system of interchanges of public health personnel. The Assembly notes with pleasure the results obtained through the efforts

Resolution  
No. 6  
(20 Sept.).

\* The Rules of Procedure referred to are those of the Health Committee of the League.

† The Report of the Second Committee on the Work of the Health Organisation is reproduced on p. 89.

of the Health Committee in connection with the standardisation of sera and biological products. It considers that the most valuable results may be anticipated from the enquiry which has been undertaken into mortality from cancer, and that the work of the Malaria Commission is calculated to furnish valuable assistance to the administrations most vitally concerned. The Assembly is gratified to note that the Health Committee has responded to the requests of several Governments by placing at their disposal investigators and technical advisers on matters of public health. It approves the establishment of a Bureau of Epidemiological Intelligence in the Far East.

4. The Assembly requests the Health Organisation to take into consideration in due course the study of the problem of physical education and to investigate the means for its general extension on rational principles. It further requests the Health Committee to undertake an enquiry as to the value of preventive measures against tuberculosis, taking into account the proposition presented by the Government of the Kingdom of the Serbs, Croats and Slovenes.

5. The Assembly asks the Council to suggest to the Health Committee the desirability of communicating to the Permanent Committee of the Paris Office international d'hygiène publique the report setting out the questions with which the Health Committee proposes to deal (which is referred to in Article 4 of the *Règlement intérieur*), at such a date as to permit the Committee to make, before the next Assembly, any observations to the Health Committee which appear to it desirable.

Before the adoption of the resolution, the Italian and Polish Delegations made declarations to the effect that they interpreted the fifth paragraph to mean that the Report mentioned in the resolution would indicate the questions on which it was desirable, before the next meeting of the Assembly, for the International Office of Public Health to send to the Health Committee of the League of Nations "such observations as appeared to it desirable." It was ascertained privately by the Indian Delegation that this declaration was not interpreted as weakening the force of the clause in question, and it was accordingly not challenged.

#### OFFER BY THE ITALIAN GOVERNMENT OF AN INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW.

29. On the 26th September the Italian Delegation announced in the Assembly that, following the example already given by France in founding an Institute for Intellectual Co-operation, the Italian Government had decided to found a similar Institute at Rome for the unification of private law. The offer of the Italian Government was referred for the consideration of the Second Committee. On the 28th September the offer was discussed in the Second Committee, where it was pointed out by the Netherlands Delegate that the functions of the Institute would require to be carefully defined, in order that its work might not overlap with that of other bodies. Finally, on the 30th September, the following Resolution was presented to the Assembly on behalf of the Second Commission by Professor Gilbert Murray (British Empire), and adopted :—

The Assembly of the League of Nations expresses its deepest gratitude to the Italian Government for its generous offer to found an International Institute for the Unification (Assimilation and Co-ordination) of Private Law, under the direction of the League of Nations.

The Assembly, recalling the terms of its resolution, dated the 23rd September, 1924, with regard to the International Institute for Intellectual Co-operation, invites the Council to accept this offer, in the name of the League of Nations, and, being desirous of emphasising the international character which this Institute should possess, both as regards the programme of its work and the choice of its staff, in accordance with the intention of the Italian Government:

Resolves :

- (a.) The powers and duties of the new Institute and the constitution of its Governing Body and Committee of Directors shall be defined by the Council of the League of Nations in agreement with the Italian Government;
- (b.) The Assembly invites the Council of the League of Nations, after consultation with the competent organs (including the Committee of Experts contemplated in the resolution of the Fifth Assembly dated the 19th September, 1924, the Committee on Intellectual Co-operation, and the Technical Organisations of the League of Nations), to conclude with the Italian Government all agreements necessary to ensure the establishment, continuity and proper working of the Institute. In accordance with the desire of the Italian Government, the general principles to be embodied in such agreements shall be analogous to those laid down in connection with the International Institute for Intellectual Co-operation which is to be established in Paris.

Care shall be taken, by means of consultation, to avoid all overlapping.

#### Subjects referred to Committee III. (Armaments.)

30. Most of the sittings of Committee III were occupied in the discussion of the terms of the Protocol which, in conjunction with the First Committee, the Committee undertook to prepare as the outcome of Resolution No. 1 of the Assembly on the

6th September, and of the replies of Governments' regarding the draft Treaty of Mutual Assistance. This part of the work of the Committee has already been summarised in paras. 4-12 of our Report.

*See pp. 4-11*

31. In connection with the drafting of the Protocol the Committee discussed the question of the convening of an International Conference on Disarmament, as provided for in Article 17 of the Protocol. The Committee decided that it was the function of the Council to prepare the programme for this Conference, but considered it desirable to make certain suggestions and recommendations in the following Resolution which was adopted by the Assembly on the 2nd October:—

I. The Assembly recommends the Council to place the question of Regional Agreements for the Reduction of Armaments on the agenda of the International Conference for the Reduction of Armaments.

Assembly  
Resolution  
No. 38  
(2 Oct.).

II. Whereas the majority of the States which have replied have stated that, with certain exceptions, they have not exceeded the expenditure on armaments shown in their last budgets, and whereas the recommendation addressed to the Governments relates to the period which must elapse before the meeting of the International Conference for the Reduction of Armaments, which is to take place next year.

The Assembly does not consider it necessary to repeat the recommendation regarding the limitation of expenditure on armaments, as this question is to be placed upon the agenda of the International Conference for the Reduction of Armaments.

III. The Assembly is of the opinion:—

- (i) That another technical conference on naval disarmament is unnecessary.
- (ii) That the question of naval disarmament should be discussed as part of the general question of disarmament dealt with by the International Conference proposed in the resolution of 6th September 1924, and that it rests with the Council to settle the programme.

IV. The Assembly requests that the Council, in preparing the general programme of the Conference for the Reduction of Armaments provided for in Article 17 of the Protocol, should consider the advisability of including in that programme the following points:—

- (i) General plan for a reduction of armaments in accordance with Article 8 of the Covenant, in particular:—

(a) Basis and methods of reduction (budget, peace-time effectives, tonnage of naval and air fleets, population, configuration of frontiers, &c.);  
(b) Preparation of a typical budget for expenditure on armaments.

- (ii) Special position of certain States in relation to the reduction of armaments:—

(a) Temporary reservations by countries exposed to special risks;  
(b) Recommendation of regional agreements for the reduction (or limitation) of armaments.

- (iii) Recommendation of the establishment of demilitarised zones (Article 9).

- (iv) Control and investigation of armaments in the contracting States.

The Assembly also requests the Council to instruct the competent organisations of the League to examine the schemes relating to the above questions which have already been submitted to the Third Committee, or which may subsequently be received by the Secretariat, and to take them into consideration in preparing the programme of the Conference.

32. A sub-Committee was appointed, under the chairmanship of General de Marini (Italy), including the Maharajah of Bikaner, to consider the following matters:—

- (a) The draft Convention concerning the control of international traffic in arms drawn up by the Temporary Mixed Commission (Appendix II);
- (b) The statistical information relating to the traffic in arms published by the Secretariat as a result of a decision of the Council;
- (c) The Reports of the Temporary Mixed Commission and the Economic Committee relating to the private manufacture of arms.

At a meeting of the sub-Committee held on the 18th September, the Secretary-General communicated a letter from the United States Minister at Berne stating that his Government would be ready favourably to consider an invitation to take part in an international Conference to conclude a Convention for the control of the arms traffic. The urgent necessity for imposing a stricter control on the arms traffic had already been strongly emphasised by the Maharajah of Bikaner, in his speech in the Assembly on the 5th September, as well as by the Prime Ministers of Great Britain and France. The sub-Committee, recognising the urgency of the matter, decided not to discuss the details of the draft Convention for the control of arms traffic, but to recommend that it should be communicated without delay to the States Members of the League and other Governments for their consideration, with a view to a conference being summoned at an early date. The Assembly adopted on

*See p. 130*

the 27th September the following Resolution in accordance with the recommendations of the Third Committee :—

*I —Control of the International Trade in Arms, Munitions and Implements of War.*

The Assembly requests the Council to submit to the Governments of States Members and non-Members of the League of Nations, the draft Convention relating to the Control of the International Trade in Arms, Munitions and Implements of War drawn up by the Temporary Mixed Commission, and to request these Governments to inform the Secretary General, before the Council meets in December, whether they are prepared to take part in a Conference to be convened in April or May 1925 for the purpose of discussing this draft Convention.

*II —Statistical Enquiry on the Trade in Arms, Munitions and Implements of War*

The Assembly, having taken note of the statistical data relating to the trade in arms, munitions and implements of war published by the Secretariat of the League of Nations in pursuance of a decision of the Council, expresses its satisfaction with the work accomplished and requests the Council—

- 1 To instruct the Temporary Mixed Commission carefully to consider the information already published and to submit a report on the characteristic features of the trade in arms, munitions and implements of war, as disclosed by this enquiry based on official and public documents, and on the conclusions to be drawn therefrom;
- 2 To ensure the periodical publication by the Secretariat of the statistical data concerning the trade in arms, munitions and implements of war,
- 3 To invite States Members and non-Members of the League of Nations to transmit to the Secretariat all documents which they may consider likely to be of assistance in the preparation of this work

*III —Private Manufacture of Arms, Munitions and Implements of War*

The Assembly, having taken note of the reports of the Temporary Mixed Commission and the Economic Committee on the control of the private manufacture of arms, munitions and implements of war,—

- 1 Requests the Council to invite the Temporary Mixed Commission to investigate this question anew and with an entirely open mind, and to prepare a draft International Convention, taking into account any new circumstances which may have arisen since the report of the Temporary Mixed Commission was submitted to the fifth Assembly.  
It is intended that this shall serve as a basis for the discussions of an International Conference to be convened for the purpose of concluding a Convention for the Control of the Private Manufacture of Arms, Munitions and Implements of War.
- 2 The Assembly also requests the Council to consider the question of inviting the Government of the United States of America to send representatives to co-operate with the Temporary Mixed Commission in preparing the draft Convention for the Control of the Private Manufacture of Arms, Munitions and Implements of War

33. The following questions, also raised in the Report of the Temporary Mixed Commission, were referred to another sub-Committee under the Chairmanship of Count Skrzynski (Poland) :—

- (1) The co-ordination of the work of the Temporary Mixed Commission for the Reduction of Armaments and of the Permanent Advisory Commission on military, naval and air questions.
- (2) Chemical warfare.
- (3) The Military Year Book relating to Naval Armaments.

The following Resolutions were proposed by the sub-Committee and adopted on the recommendation of the Third Committee by the Assembly on the 27th September :—

*IV —Co ordination of the Work of the Temporary Mixed Commission and the Permanent Advisory Commission*

Whereas the work of the League of Nations in connection with the reduction of armaments is entering this year upon a period of re-organisation which requires the direct attention of the Council:  
The Assembly entrusts to the Council the question of the co-ordination of the work of its Commissions for the Reduction of Armaments.

The Assembly recommends the Council to re-organise the Temporary Mixed Commission in conformity with the following principles

- 1 The Commission shall include the representatives of a certain number of Governments,
- 2 The Commission shall include qualified delegates of the technical organisations of the League of Nations, that is to say

Representatives of the Economic Committee,  
Representatives of the Financial Committee,  
Representatives of the Transit Committee,  
Representatives of the Permanent Advisory Commission,  
Representatives of the Employers' and Labour Groups of the International Labour Office,  
Experts, jurists or others elected by the Council.

- 3 Delegates of States not represented on the Commission may be invited to attend whenever the Commission thinks fit  
 4 The Council will invite any States not Members of the League of Nations which may have notified their intention of taking part in the Conference for the Reduction of Armaments to appoint representatives to participate in the work of the Commission

#### V—Chemical Warfare

The Assembly, having examined the report of the Temporary Mixed Commission with regard to the probable effects on warfare of chemical discoveries,

Being convinced that the means which modern science places at the service of warfare renders the latter a great danger to civilisation.

Recalling the seventh resolution of the third Assembly regarding the adhesion of all States to the Treaty concluded at Washington on the 6th February, 1922, concerning the use of asphyxiating gases in time of war

Requests the Council, if it considers it desirable, to publish the report of the Temporary Mixed Commission and, if advisable, to encourage the work of making information on this subject generally accessible to the public,

Noting, on the other hand, the facility and rapidity with which factories for producing chemical substances required in peace-time can be transformed into factories for chemical warfare

Recommends that the attention of public opinion throughout the world be drawn to the necessity of endeavouring, in the first place, to remove the causes of war by the peaceful settlement of disputes and by the solution of the problem of security, in order that nations may no longer be tempted to utilise their economic, industrial or scientific power as weapons of war

#### VI—Military Year-Book

The Assembly, having noted with great interest the preparation of the Military Year Book,

Desires to express its satisfaction with the valuable work which has been accomplished and which represents a genuine step towards the fulfilment of the obligations assumed by the signatories of the Covenant in the final paragraph of Article 8.

And requests the Council to arrange for the continuation of this work on the lines laid down by the fourth Assembly, to which the Secretariat has adhered in preparing this first volume, special attention being given to that part of the Year-Book which deals with industrial and economic resources capable of being utilised for war

### Subjects referred to Committee IV. (Budget and Financial Questions).

34. M. de Vasconcellos (Portugal) was appointed by Committee IV to present a general report on the questions referred to the Committee, with the exception of the following items, for the consideration of which sub-Committees were appointed:—

#### (a) Contributions in Arrears.

*Chairman: M. Réveillaud (France). (Lord Hardinge of Penshurst was a member of this sub-Committee.)*

#### (b) Building of a Conference Hall.

*Chairman: M. van Eysinga (Netherlands).*

#### (c) Allocation of Expenses.

*Chairman: M. Bignami (Italy).*

#### (d) Pensions for the Staff of the Permanent Court of International Justice.

*Chairman: M. Barboza Carneiro (Brazil).*

#### (e) Reorganisation of the Latin-American Bureau.

*Chairman: M. Buero (Uruguay).*

The request of the Panama Government regarding its contributions prior to 1923 was also referred for the consideration of M. Réveillaud's Committee.

In M. de Vasconcellos' report (which we reproduce in Appendix III) a full account of the general work of the Fourth Committee appears. We also reproduce (Appendix II) a memorandum by the Financial Director of the Secretariat of the League, summarising the financial operations of the League and the action taken thereon in the Fifth Session of the Assembly. It remains to note on the outstanding features in these reports.

#### BUDGET FOR 1924.

35. The budget submitted to the Fourth Committee, after scrutiny by a Financial Supervisory Commission, amounted to 21,149,343 gold francs, as compared

with a budget of 24,870,570 gold francs submitted to the Fourth Committee of the Fourth Assembly. It was considered necessary last year<sup>2</sup> to impose a policy of the strictest economy and reduction in all departments of the Secretariat, and particularly in the special organisations of the League. The results of this economy are to be seen in the very considerably reduced total of the budget presented for examination in this Assembly. The budget finally approved by the Fifth Assembly amounted to 22,658,138 gold francs. The following are the main supplementary credits which involved the increase of the budget to this total.

#### *Reduction of Armaments.*

Following on the decision to summon an International Conference on Disarmament and to appoint an Expert Committee to propose amendments to the Covenant as a result of the acceptance by the Assembly of the draft Protocol for the pacific settlement of international disputes, the Committee voted, on the recommendation of the Supervisory Commission, a total credit for the Disarmament Section of the Secretariat amounting to 1,226,795 gold francs, out of which the sum of 500,000 gold francs represented the estimated cost of the International Disarmament Conference. The amount which had been included in the original estimates for the Disarmament Section was 612,320 gold francs only. It will thus be seen that the decisions relating to disarmament account for the main increase in the total of the budget.

#### *Health Organisation.*

It has already been stated in our Report on the work of the Second Committee that the credit recommended by the Supervisory Commission was held by that Committee to be insufficient for carrying out the work of the Health Organisation. The Supervisory Commission had recommended the reduction of the grant demanded by the Health Committee from 861,300 gold francs to 604,580 gold francs. In particular, the Supervisory Commission had recommended the reduction of the estimate for special investigations into various diseases from 160,000 to 92,000 gold francs. As a result of the representations received from the Second Committee the Supervisory Commission proposed a supplementary credit of 75,000 francs towards the interchange of public health personnel. Sir Hubert Llewellyn Smith, supported by Lord Hardinge of Penshurst, strongly advocated that consideration should be paid rather to the insufficiency of the grant for special investigations. They considered that the amount provided in the budget for this purpose was wholly insufficient for carrying out investigations into such important subjects as malaria, the standardisation of sera, and the combating of disease by the use of insulin. Lord Hardinge thought that these investigations were of greater importance to India than the interchange of public health personnel, from which the outlying Members of the League were unlikely to obtain much benefit. In the course of the discussion it was eventually decided to increase the supplementary credit proposed by the Supervisory Commission to 130,000 francs, to be distributed as follows :—

Special reports and enquiries - - - -	50,000
Interchange of public health personnel - - - -	75,000
Sanitary notifications - - - -	5,000

The Indian Delegation was afterwards informed by the Director of the Health Section of the League that a scheme was under consideration for offering to India opportunities for participating in the work of interchange of health personnel.

#### *Russian and Armenian Refugees.*

No provision had been made in the budget of the Secretariat for carrying on the work connected with the High Commission for Refugees. The Fourth Assembly had expressed the opinion that this work was not yet completed, but had recommended that efforts should be made to enable the High Commissioner to reduce his organisation. The Supervisory Commission, after the question had been discussed in Committee V, proposed to insert a special credit of 203,000 francs in the International Labour Organisation budget, for utilisation by the High Commissioner through the medium of that organisation if the negotiations in progress between the Governing Body of the Labour Organisation and the Council of the League resulted in the transfer of the work of the High Commission to the control of the former. The South African Delegation had strongly pressed in the Fifth Committee for investigation into the extent and probable duration of the work on behalf of the refugees before a decision

\* Page 18 of the Report of the Delegates to the Fourth Assembly.

transferring it to a permanent organisation of the League was taken. Some support was given to this view in the Fourth Committee, where it was generally considered that during the forthcoming year some final solution should be found for the question, in order that this appropriation should disappear from the budget of the League for 1926. It was, however, represented by the Fifth Committee that a definite recommendation to this effect in the Report of the Fourth Committee would create difficulty in transferring the work to the Labour Organisation. Ultimately it was decided to state in the Report of the Fourth Committee that the credit should be regarded as temporary and that the Committee hoped it would be possible for the item to disappear from the budget of the International Labour Office at the earliest possible moment.

#### *Transfer of Armenian Refugees to the Caucasus.*

A proposal having been received through the Fifth Committee for a supplementary credit of 50,000 francs for the purpose of investigation by the International Labour Organisation, in collaboration with Dr. Nansen, of the possibility of settling Armenian refugees in the Caucasus, the Committee decided, by 15 votes to 10, to adopt the supplementary credit provided that the title of the item were changed to "Settlement of Armenian Refugees." The condition was attached to the credit that the League should not necessarily be committed as a result of the investigation to further expenses on this account. The delegate for India voted in the minority.

#### STAFF PROVIDENT FUND.

36. The Fourth Assembly decided, in a resolution<sup>\*</sup> adopted on the 28th September 1923, to establish a compulsory pensions fund for the officials of the Secretariat and the International Labour Office. The Fourth Committee at this session approved the regulations drawn up by the Supervisory Commission for the Staff Provident Fund, together with its conclusions that no modifications entailing additional expenditure should for the present be made in the original scheme. Representations submitted by the staff of the two offices, alleging the inadequacy of the contribution to be made from the League finances in the scheme, having been communicated to the Fourth Committee, the Supervisory Commission was requested to give sympathetic attention to any proposals which might be made at a later stage by the staff as regards the administrative expenses of the fund, the reserve fund, and the death and invalidity fund. The Committee decided to amend Article 20 of the Regulations in order to give the Assembly, and not the Council, power to modify them except in cases of urgency. In such cases decisions taken by the Council would have to be ratified by the Assembly.

The Secretary-General and the Director of the Labour Office were requested to submit, for consideration by the Supervisory Commission, joint proposals for a revision of the Staff Regulations consequent upon the coming into effect of the Staff Provident Fund Regulations.

#### CONFERENCES AND MEETINGS OUTSIDE GENEVA.

37. The Committee associated itself with the recommendation of the Supervisory Commission that, in future, not more than one regional conference for each Organisation should be held during any one year. The following Resolution was also adopted by the Committee regarding the holding of meetings of the League Organisations outside Geneva :—

##### The Fourth Committee :

Recognising the desirability of holding at Geneva the meeting of all the League Organisations both on account of the very considerable saving thereby effected in the finances of the League and in view of ensuring the smooth working of the Secretariat and of the International Labour Office;

Recommends that except for sufficient reasons all meetings contemplated in para. I should in future take place at Geneva;

Requests the Assembly to ask the Council and the Governing Body of the International Labour Office to call the attention of all Presidents of Commissions to this recommendation and to propose that particular mention should be made of the point in the next general report of the Commission.

#### FINANCIAL POSITION OF THE LEAGUE.

38. M. de Vasconcellos justly called attention in his report to the satisfactory financial situation of the League this year, though he pointed out that it was only as the result of the drastic economies made in the League budget of 1924 that this satisfactory position had been attained.

The financial year 1923 closed with a net surplus of 2,774,854.86 gold francs. Out of this surplus the sum of 1,635,274.41 gold francs has been set aside to provide for repayment of the special contribution levied in the budget of 1924 to

\* Page 22 of the Report of the Delegates to the Fourth Assembly.

make good the impairment which the working capital fund suffered in 1922. Each State which fully pays up its contribution for 1924 is entitled to receive this refund. Thus those States which have fully paid up their contributions before 31st December 1924 will receive at the beginning of 1925 a credit amounting to approximately 7 per cent. of the total contribution which they paid in 1924. The remainder of the surplus will be used to meet part of the cost of erecting the International Labour Office building.

In addition to this surplus a sum of 1,756,873.40 gold francs has been received from the Argentine Republic, representing its contribution towards the budgets of 1922 and 1923. This sum has been transferred to a special working capital fund account, the share of each State in the fund being indicated in the accounts. The Committee have suggested that this sum could, with the approval of subsequent Assemblies, be used, as far as it goes, to finance the erection of the new Conference Hall.

The strength of the League's financial position is also shown by the following facts. In addition to carrying out its full programme of work, the League has, by completing the purchase of the Hotel National, become the owner of a building valued at 5,500,000 Swiss francs, has succeeded in carrying out a considerable part of the construction of the building to house the International Labour Office, is preparing to erect a building at its own expense for conference purposes on the land presented by the City of Geneva, and has, in addition, established a working capital fund of nearly 4,000,000 gold francs.

The following Resolutions were proposed by the Fourth Committee, and adopted by the Assembly on the 29th September:—

1. The Assembly of the League of Nations, in virtue of Article 38 of the Regulations for the Financial Administration of the League, finally approves the audited accounts of the League for the fifth financial period, ending the 31st December, 1923.

2. The Assembly, in virtue of Article 17 of the Regulations for the Financial Administration of the League:

Approves, for the financial year 1925, the general budget of the League, of the Secretariat and of the special organisations of the League, of the International Labour Organisation and of the Permanent Court of International Justice, the total amount of which, including supplementary credits, is 22,658,138 gold francs;

And decides that the said budgets shall be published in the *Official Journal*.

3. The Assembly adopts, in so far as they have been approved by the Fourth Committee, the conclusions of the various reports of the Supervisory Commission submitted to its consideration, and at the same time expresses to the Supervisory Commission its thanks for the services it has so well rendered.

4. The Assembly adopts the conclusions of the report of the Fourth Committee.

#### ARREARS OF CONTRIBUTIONS.

39. On the 1st September the sum of 4,710,381.15 gold francs were reported by the Secretariat as outstanding in respect of arrears of contributions. The sub-Committee to which we have already referred considered the representations of certain States whose contributions are in arrear at private sessions, and presented the following Resolution, which was adopted by the Assembly on the 24th September:—

The Assembly:

(a.) Authorises the Secretary-General:

(1.) To accept the Liberian representatives' proposal that the balance of 106,581.30 gold francs due under the budgets of 1921, 1922 and 1923 should be paid in equal annual instalments spread over ten years as from January 1925;

(2.) To strike out of the accounts of the League the balance of 50,983.89 gold francs due by the Grand-Duchy of Luxembourg for the financial year 1922, on the understanding, however, that Luxembourg waives all claim to her share of the surplus of the 1923 budget;

(3.) To strike out of the accounts of the League the balance of 38,176.83 gold francs due by Persia for the financial year 1923, on the understanding, however, that Persia waives all claim to her share of the surplus for that financial year.

(b.) Invites the Secretary-General:

(1.) To make further urgent representations to Costa Rica, Honduras, Nicaragua, Peru and Bolivia;

(2.) To submit to the Council at its session in June 1925 a report on the results of these representations in order that the Council may consider whether and, if so, in what form the question of the contributions due from these Members of the League should be placed on the Agenda of the sixth Assembly.

As a result of the recommendations of the sub-Committee, the amount of arrears outstanding on this account was reduced by 89,160.72 gold francs. It is sincerely to be hoped that the States mentioned in para. b (1) of the Resolution, which have obstinately refused hitherto to meet their obligations, will reply satisfactorily to the urgent representations now to be made to them.

Assembly  
Resolution  
No. 33  
(29 Sept.)

For report of  
sub-Com-  
mittee see p.  
116.

Assembly  
Resolution  
No. 27  
(24 Sept.).

### REQUEST OF PANAMA GOVERNMENT REGARDING CONTRIBUTIONS PRIOR TO 1923.

The above sub-Committee also examined a claim from the Government of Panama for refund of a portion of its contributions for the years prior to 1923. The Panama Delegation drew attention to the fact that the First Assembly of the League had recommended that States, the assessment of whose contribution under the Postal Union scale then in force was excessive, should have refunded to them the amount by which their contributions under that scale exceeded their contributions under the revised scale when introduced. The present provisional scale of allocation of expenditure was ultimately introduced with effect from the year 1923. Under it Panama is assessed much lower than under the Postal Union scale in force for the preceding year. Panama therefore claimed, on the strength of the recommendation carried in the First Assembly, that she should now receive a refund of the amounts paid for preceding years in excess of her contribution as now assessed. In support of this claim the Delegate for Panama pointed out that his country, while protesting against the amount of its contribution prior to 1923, had not failed to pay it, whereas certain States whose contributions in 1923 were in arrear had received remissions of the whole or a portion of their arrears based on a calculation of the smaller amount which they would have had to pay in preceding years had the scale introduced in 1923 been then in force.

The sub-Committee, while expressing sympathy with the point of view expressed by the Delegate of Panama, was unable to support this request. They argued that the recommendation of the First Assembly on which the request was based had not the binding force of a resolution. Moreover, the recommendation was made at a time when it was hoped that the Postal Union scale itself would be modified in such a manner as to enable it to be applied in assessing the contributions of States Members of the League. Since, however, the Assembly had decided to abandon the assessment of contributions on a scale applicable also to the Postal Union. If the recommendation passed in 1920 were now applied the League would be committed to expenditure equal to almost half its total budget in satisfying the claims of States concerned.

While the Fourth Committee, in discussing the claim of the Government of Panama, was unanimous in thinking that effect should, if possible, be given to the recommendation of the First Assembly, it was of opinion that, for the moment at least, satisfaction could not possibly be given to Panama or other countries in a similar position. The Assembly, on the recommendation of the Fourth Committee, adopted, on the 26th September, the following Resolution:—

The Assembly, being aware that it will be causing to one of the most devoted and most esteemed Members of the League a comprehensible disappointment; and being, convinced nevertheless that its decision implies no injustice;

Decides not to entertain, in the present circumstances, the claim of Panama, which might, however, receive further consideration at some future Assembly.

Assembly  
Resolution  
No. 26  
(26 Sept.)

### BUILDING OF A CONFERENCE HALL.

41. The sub-Committee appointed to consider the question of the building of a conference hall on the ground presented by the City and Canton of Geneva drew attention in their Report to the lack of accommodation in the buildings at present at the disposal of the League owing to the increasing numbers of committees and conferences requiring to be held at Geneva. They pointed out that the present financial position of the League renders it possible to commence building operations. By the end of 1925 both the former Hotel National, at which the Secretariat offices have been installed, and the new building of the International Labour Organisation, will have been paid for in full. The cost of constructing an Assembly Hall is estimated at 4,500,000 gold francs, and it is suggested that this amount can be met by including in each of the budgets for 1926-29 the sum of 1,125,000 gold francs on this account. The sub-Committee recommended that the sum of 250,000 gold francs should be included in the budget of 1925 to meet preliminary expenses in connection with the building operations, including the prizes to be awarded in connection with the architects' competition.

It was proposed that advertisement should be made in building and architects' journals of an open international competition for designs for the building. The

following Resolution, proposed by the Fourth Committee, was adopted by the Assembly on the 20th September:—

"The Assembly approves the report of its Fourth Committee on the question of the erection of a conference hall of the League of Nations, directs that the measures proposed in the report should be carried out, and recommends that the Members of the League should give the widest publicity to the conditions of the competition in connection with the erection of a conference hall."

During the debate in the Assembly Sir Hubert Llewellyn Smith (Great Britain) announced that the British Department of Scientific Research had recently had occasion to carry out some important experiments in the testing of acoustical properties of public buildings, and were anxious to place at the disposal of the League the advice of their experts on this question.

During this session of the Assembly, when the galleries were particularly crowded and meetings were very fully attended, not only by the delegates, but also by their expert advisers and secretaries, the accommodation in the present conference hall was found wholly insufficient, while the efforts made by means of various mechanical devices to improve the acoustical properties of the hall resulted in some cases in making the speeches delivered almost unintelligible. Moreover, the atmosphere of the building was extremely oppressive. We therefore consider that the money which it is proposed to allocate to the construction of the new conference hall in the present financial situation of the League will be justifiably spent.

#### ALLOCATION OF EXPENSES OF THE LEAGUE.

*See p. 12.*

42. We have already summarised in para. 13 of our Report the action taken in the Fourth Committee and in the Assembly on this subject. The Reports of the Allocation Committee and of the sub-Committee appointed by the Fourth Committee to consider the question are reproduced in Appendix III. The statement of India's case for reduction of her contribution, which was submitted by Lord Hardinge for the consideration of the sub-Committee, is reproduced in Appendix II. We also reproduce in Appendix V the Report of the Allocation Committee, presided over by M. Réveillaud, which considered the requests of India and other countries for reduction of their contributions at its meeting on the 30th October, after the close of the Assembly session. The conclusions of the Allocation Committee are summarised in para. 13 of our Report, where we also state the amount by which India's contribution for the year 1925 is reduced thereby.

The following Resolution on the subject of allocation of expenditure was proposed by the Fourth Committee and adopted by the Assembly on the 25th September:—

The Assembly, in view of the fact:

That the work of the Committee on the Allocation of Expenses, presided over by M. Réveillaud, is not yet concluded, though the system proposed by the said Committee opens up the prospect of reaching a satisfactory conclusion, as mentioned in the report which this Committee submitted to the Assembly on the 4th July, 1924 (A. 14. 1924. II);

That the Assembly adopted a provisional scale for 1923 and also adopted a provisional scale for 1924 on the same lines as the 1923 scale, at the same time instructing the Committee on the Allocation of Expenses to place the whole of the units available for that year to the credit of those Members for whom the then-existing allocation was particularly heavy;

That in such a delicate matter it is clearly advisable to await the conclusion of the work of the Committee on the Allocation of Expenses and to make no changes in the provisional scales approved for 1923 and 1924, since, in the circumstances, such changes would necessarily be arbitrary and would consequently meet with numerous objections;

That the same conditions still exist as so rightly called forth from the 1923 Assembly a unanimous impulse of sympathy for Japan when she was stricken by an earthquake that destroyed a great part of her wealth;

And that applications have been received even during the last few days from other Members for a reduction of their quotas;

(a.) Invites all States Members of the League to communicate to the Secretary-General their detailed budget estimates for 1923 (1923-24) and to send in future the budget estimates and closed accounts for each financial period immediately they are published;

(b.) Requests the Council to ask the Committee on the Allocation of Expenses, presided over by M. Réveillaud, to continue its researches, with the object (in view of the difficulties of drawing up a definitive scale at a time when the exchange fluctuations are so pronounced) of preparing a fresh provisional scale to be submitted to the 1925 Assembly and to come into force as from 1926 for a period to be decided upon;

(c.) Resolves that the rebate of 12 units granted to Japan for the year 1924 shall be maintained for the year 1925;

(d.) Resolves that the 35 units available owing to the resumption of payment by the Argentine shall be held in reserve;

(e.) Requests the Committee on the Allocation of Expenses to divide these 35 reserved units in such a way as it may consider equitable, taking into consideration the claims of States Members for whom the existing allocation is particularly heavy;

(f.) Approves for the year 1925, subject to such modification thereof as may result from the utilisation by the Committee on the Allocation of Expenses of the 35 units mentioned above the scale, which is based on that of 1924, annexed to the present resolution.

SCALE OF ALLOCATION OF THE EXPENSES OF THE LEAGUE FOR THE YEAR 1924.

States.	Units.	States.	Units.
Abyssinia	2	Latvia	3
Albania	1	Liberia	1
Australia	26	Lithuania	4
Austria	1	Luxemburg	1
Belgium	15	Netherlands	20
Bolivia	5	New Zealand	10
Brazil	35	Nicaragua	1
Bulgaria	7	Norway	11
Canada	35	Panama	1
Chile	15	Paraguay	1
China	65	Persia	6
Colombia	7	Peru	10
Costa Rica	1	Poland	25
Cuba	9	Portugal	9
Czechoslovakia	35	Romania	29
Denmark	12	Salvador	1
Estonia	3	Kingdom of the Serbs, Croats and Slovenes	26
Finland	10	Siam	10
France	78	South Africa	15
Great Britain	88	Spain	40
Greece	9	Sweden	18
Guatemala	1	Switzerland	15
Haiti	2	Uruguay	7
Honduras	1	Venezuela	5
Hungary	3	Total	932
India (British)	65	Argentine	35
Irish Free State	10	(held over)	
Italy	61		
Japan	61		

The 35 units that are available owing to the Argentine's resumption of payment will be distributed by the Committee on the Allocation of Expenses in accordance with the terms of the above resolution.

The value of a single unit in 1925 will therefore be the total expenses in gold francs voted for 1925 divided by 932. But this figure, which cannot be increased, may be reduced if the said Committee decides to use part of the 35 units in hand for the purpose of making an all-round reduction.

The Assembly requests the Committee on the Allocation of Expenses to determine the number of units to be allotted to the Dominican Republic and, when carrying out its task of making the final adjustments in the scale for 1925, to add the number of units then allotted to those rendered available by the contribution of the Argentine Republic.

PENSION SCHEME FOR THE PERSONNEL OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

43. The sub-Committee appointed to consider the above question had before it a Report by the Supervisory Commission containing a scheme for pensions for Judges, and the Report adopted by the Council on the 29th August 1924 in which the scheme was submitted for the consideration of the Assembly. In this Report particular attention was drawn to the position of the Registrar of the Court. The Council had granted the present Registrar a salary intended to constitute a remuneration equal to that of a Director of the Secretariat, and it took this decision after the Assembly had resolved that the Directors of the Secretariat should not be eligible for any form of pension. The sub-Committee recommended that the Registrar should be included in the pensions scheme, but fixed seven years as the period of service of the Registrar necessary to qualify for a pension in that appointment. It held that the Registrar is a part of the personnel of the Court and that his service on a long-term engagement should be encouraged. Moreover, it drew attention to the fact that while employed in this office the Registrar is precluded from accepting remuneration for professional work from other sources.

In the discussion in the Fourth Committee of the draft regulations for the granting of pensions to ordinary Judges and to the Registrar of the Permanent Court of International Justice proposed by the sub-Committee, attention was concentrated on the regulation proposing that the minimum pension admissible under the regulations might be granted to a Judge or the Registrar by a special

decision of the Court, based on the fact that the individual in question was in a precarious state of health and had insufficient means, notwithstanding that he had not completed, in the case of Judges, a period of five years' service, and in the case of Registrar of seven years. While this provision is admittedly a generous one, there were held to be special advantages in enabling a Judge or Registrar of the Court to withdraw from service if he no longer felt himself able to carry on his work in a proper manner and had insufficient private means to dispense with pensionary rights. Another point on which criticism centred was the provision in Article 3 of the draft regulations with regard to the number of days to be treated as days of duty for the purpose of the daily duty allowances paid in addition to fixed annual salary. The British and Indian Delegates both held that the minimum number of days, viz., 180, was fixed too high. The Committee, however, voted by a small majority in favour of retaining this figure in place of 150 days suggested by Mr. Patriek (India). Taken as a whole the regulations are undoubtedly more generous than those ordinarily applicable to Judges in national Courts. It has, however, to be borne in mind that the International Court is composed of Judges drawn from various quarters of the world, whose expenses are undoubtedly increased by absence from their own countries, and that the salaries and conditions of service of the personnel of the Court have to be such as will ensure the widest field of selection for these appointments. The following Resolution was adopted by the Assembly on the 30th September:—

The Assembly adopts, on the proposal of the Fourth Committee, the following regulations regarding the granting of retiring pensions to ordinary Judges and to the Registrar of the Permanent Court of International Justice.

(In accordance with Article 32 (para. 7) of the Court Statute.)

"For the purpose of Article 32, para. 7, of the Statute of the Court, the personnel of the Court shall be taken to comprise Judges, the Registrar and the officials of the Registry.

"As the officials of the Registry participate in the benefits of the League of Nations Provident Fund, the present regulations deal only with the ordinary Judges and the Registrar."

*Article 1.*—Ordinary Judges and Registrars who have, for any reason whatever, ceased to hold office shall be entitled to retiring pensions.

This right, however, shall not be recognised if the persons concerned have been dismissed for reasons other than the state of their health.

In the case of resignation, Judges will not be entitled to pensions unless they have completed a period of five years' service, and the Registrar shall not be entitled to a pension unless he has completed a period of seven years' service.

Nevertheless, in the cases referred to in the previous paragraph, the Court may, by a special decision based on the fact that the persons concerned are in a precarious state of health and have insufficient means, grant the minimum pension to which such persons would be entitled, after five years' service in the case of Judges, and after seven years' service in the case of the Registrar.

The payment of a pension shall not begin until the person entitled to such pension has reached the age of 65. Nevertheless, in exceptional cases and by a special decision of the Court, in consideration of the state of health or the means of the beneficiary, pensions may be paid to such beneficiary before he reaches the age of 65.

*Article 2.*—No retiring pension payable under the present regulations shall exceed 15,000 Dutch florins in the case of Judges and 10,000 Dutch florins in the case of the Registrar.

*Article 3.*—Subject to the provisions of Article 2, Judges shall be entitled to the payment of a pension equivalent to one-thirtieth of their salary in respect of each period of twelve months passed in the service of the Court, the salary being taken to comprise the following:—

- (1) Fixed annual salary.
- (2) The whole of the daily duty allowances, the minimum number of days taken for the purpose of this calculation being 180; the duty allowance of the President of the Court shall be reckoned as being 35,000 florins per year.

In calculating the salary, no account shall be taken of sums received as subsistence allowance.

A Registrar shall be entitled to the payment of a pension equivalent to one fortieth of his salary in respect of each period of twelve months passed in the service of the Court.

If a person entitled to a pension is re-elected to office, the pension shall cease to be payable during his new term of office; at the end of this period, however, the amount of his pension shall be determined as provided for above, on the basis of the total period during which he discharged his duties.

*Article 4.*—Subject to the provisions of Article 3, retiring pensions shall be payable monthly in arrears during the life-time of the beneficiary.

*Article 5.*—Retiring pensions shall be regarded as coming under the "Expenses of the Court," within the meaning of Article 33 of the Statute of the Court.

*Article 6.*—The Assembly of the League of Nations may, on the proposal of the Council, amend the present regulations.

Nevertheless, any amendment so made shall not apply to persons elected before the amendment in question was adopted, unless they give their consent thereto.

## REORGANISATION OF THE LATIN-AMERICAN BUREAU.

44. The Fourth Assembly resolved to entrust the Secretary-General with the study of a project for the reorganisation of the Latin-American Bureau, for submission to the Fifth Assembly.† The scheme drawn up by the Secretary-General was based upon the assumption that the work of the Bureau had fully justified its creation. It was proposed that the number of members of the Bureau should be raised from two to three, and their term of contract prolonged from two to three years. The Secretary-General was prepared to undertake, as vacancies occurred in the general service, to give more adequate representation to nationals of Latin-America, subject to their possession of the requisite qualifications. The Report of the sub-Committee appointed by the Fourth Committee to examine these proposals went somewhat further than the scheme of the Secretary-General, for it recommended that nationals of Latin-American countries should be admitted as permanent members of the Secretariat in such a manner as to provide that one of these nationals should be appointed in each of its sections, also that on the expiration, or even before the expiration, of the contracts of officials of the Latin-American Bureau the Secretary-General should be empowered to substitute for their temporary contracts appointments as permanent members of sections. The Secretary-General informed the Committee that he accepted the proposals of the sub-Committee, and in the circumstances there was no criticism of them. The following Resolutions were adopted by the Assembly at its meeting of the 29th September:—

1. The number of members of the Latin-American Bureau shall be increased from two to three
2. The term of service of the members of this Bureau shall be increased from two to three years †
3. The Secretary-General shall, when vacancies occur in the general services of the Secretariat, endeavour to secure more appropriate representation for the Latin-American States, provided always that the candidates for these posts possess the necessary qualifications

! It is understood that the Latin-American Bureau, which was constituted in order to meet particular exigencies, must not be regarded as a permanent organisation. It is desirable that nationals of Latin-American countries should be admitted as permanent members in such a way that one of these nationals shall be appointed in each section of the Secretariat.

! In order that the above scheme may be carried out as rapidly as possible, the Secretary-General shall have power to substitute, upon their expiration or even previously, for the contracts of officials of the Latin-American Bureau contracts as permanent Members of Section, utilising for this purpose the funds allocated to the Latin-American Bureau, or, if the Bureau cease to exist, a special credit to the same amount, which shall be duly allocated.

## THE NEW BUILDING FOR THE INTERNATIONAL LABOUR OFFICE.

45. M. Thomas, the Director of the International Labour Office, made an interesting statement before the Fourth Committee of the progress achieved in the construction of the new building of the International Labour Office. In the course of it he informed the Committee that the total credit of 3,000,000 francs which had been voted for the building would certainly not be exceeded and that, even with such delays as frequently occurred in building, the Office might expect to be installed in its new quarters before the end of 1925. The Director drew attention to the recommendation of the Assembly in 1922 that each Member of the League of Nations should contribute to the new building by sending, in agreement with the architect, building material, ornaments, or objects of art representative of its national products. Certain gifts had already been promised by various countries, and the Director earnestly hoped that other countries would follow their example.

## Subjects referred to Committee V. (Social and General Questions).

## OPIUM.

46. The Fourth Assembly, in its Resolution No. 13 of 27th September,‡ had recommended to the Council that two international Conferences should be summoned. The object of the first Conference was to concert measures to carry into effect Part II of the International Opium Convention of 1912 in the Far Eastern territories in regard to the amount of opium imported for smoking, and also to decide the measures to be

\* The Secretary-General has already extended to three years the term of service of the two members of the Secretariat who at present constitute the Bureau, subject to the reservation that the Assembly consent to the appointment of a third member.

† Page 32 of the Report of the Delegates to the Fourth Assembly.

‡ Page 23 of the Report of the Delegates to the Fourth Assembly.

Assembly  
Resolution  
No. 35  
(29 Sept.)

taken by the Government of China to bring about the suppression of the illegal production and use of opium in China. The object of the second Conference was to conclude an International Convention to limit the manufacture of morphine, heroin and cocaine, and the import and export of raw opium and coca leaf, to the amount required for medicinal and scientific purposes. A preparatory Committee having been appointed by the Council to consider the programmes to be adopted for these Conferences, the Report of the Advisory Committee on Traffic in Opium and other Dangerous Drugs, which was before the Fifth Committee, was principally concerned with the draft programme of the second of the two Conferences. We reproduce in Appendix II of our Report the programme which the Advisory Committee had put forward as a basis for this Conference. Mlle. Bonnevie (Norway), who was appointed by the Fifth Committee to report to the Assembly on the recommendations in the Advisory Committee's Report, proposed, on the 8th September, that the Assembly be asked to approve the Report of the Advisory Committee and to express its satisfaction that a basis for the work of the second International Conference had been reached. M. Sarraut (France) pointed out that the actual terms of the programme had not been approved individually by all members of the Advisory Committee, and suggested that this should be mentioned in the terms of the resolution to be adopted. Mr. Henderson (Great Britain) noted that Switzerland had now ratified the Hague Convention of 1912. On his proposal it was decided to invite the Council to ask Switzerland to be represented on the Advisory Committee. Mr. Henderson also drew attention to the fact that Persia and Turkey had not as yet ratified the Convention. The Persian Delegate, Prince Arfa-ed-Dowleh, made a prolonged statement as to the efforts made by the Persian Government to remedy the serious evils brought about in Persia by the use of opium. Mr. Hofmeyr (South Africa) proposed an addition to the resolution, emphasising the urgency of measures to arrest the enormous increase of opium cultivation in China. M. Chao-hsin Chu (China) alleged that the treaty rights of foreign Powers in Chinese ports were the chief impediment to the exercise by China of her full sovereignty in respect of the opium traffic. At the instance of the Polish Delegate, supported by the Delegates of the Irish Free State, Switzerland and Roumania, it was proposed to add a further resolution recommending Press propaganda on the dangers of the abuse of drugs. Sir Muhammad Rasique claimed that India was carrying out to the full her obligations under the Hague Convention. Replying to statements made by Mr. Hofmeyr (South Africa) regarding the export of Indian hemp to the Union territories, he stated that India was conducting an enquiry into the matter, and had to some extent anticipated the raising of this question. Several delegates, representatives of the Latin-American Republics, pressed that a representative of those countries should be appointed on the Advisory Committee as a collaborator. This proposal was adopted by 25 votes to 3. The following Resolution, proposed by the Fifth Committee, in which the main points above mentioned are embodied, was adopted by the Assembly on the 20th September:—

1. The Assembly expresses its deep appreciation of the very valuable work done by the Advisory Committee on Traffic in Opium and other Dangerous Drugs, and adopts its report together with the resolutions embodied therein.

2. The Assembly expresses its satisfaction that the Advisory Committee has been able to work out a series of measures which, although they have not each of them received the approval of all of its members, were considered by the Committee to furnish a satisfactory basis for the work of the Second International Conference and to prepare the way for a final agreement, and expresses the hope that the result of the work of the International Conferences will lead to a solution of the great and difficult problems which each Conference, according to the resolutions of the fourth Assembly, will be called upon to consider.

3. The Assembly, taking note of the measures adopted by the Swiss Federal Council and legislative powers for ratifying and giving effect to the provisions of The Hague Convention, and bearing in mind the importance of Switzerland as a manufacturer of the drugs to which Chapter III of the Convention applies, expresses the hope that, as soon as the necessary steps have been taken to put into actual effect in Switzerland the provisions of the Convention, the Council will invite the Federal Council to nominate a representative to take part in the work of the Advisory Committee.

4. The Assembly regrets to note that the more thorough investigations which the Chinese Government in 1922 undertook to carry out with regard to the cultivation of the poppy in China have not, even in the opinion of the Chinese Government itself, yielded adequate and satisfactory reports; and views with the utmost concern the continued production of opium which is now going on in China. The Assembly records its sense of the unsatisfactory character of the official investigations which have been made and of the official reports which have been furnished to the League, and approves of the recommendation of the Advisory Committee that the aid of public opinion should be enlisted through the medium of the Far Eastern Press in an endeavour to solve this grave problem.

5. The Assembly requests the Council to be good enough to ask the Advisory Committee on Traffic in Opium and other Dangerous Drugs whether it considers it desirable and expedient that the work undertaken by the League of Nations in connection with the traffic in opium, under Article 23 of the Covenant, should be completed by the preparation of a scheme of propaganda to acquaint the

masses with the terrible consequences resulting from the use of dangerous drugs, and thereby to restrict the consumption of such drugs. Should the Advisory Committee be of opinion that it is desirable and expedient to prepare such a scheme, the Assembly of the League of Nations requests the Council to submit the scheme to it at its next session, and to indicate what measures are required in order to carry it into effect.

6. The Assembly, in the interest of the work of the Advisory Committee on the Traffic in Opium and other Dangerous Drugs and in order to make this work more effective, expresses a wish that the Council may take the necessary steps to ensure that a member belonging to one of the Latin-American countries be appointed to this Committee.

On this occasion M. Chao-hsin Chu addressed the Assembly, alleging that, although the consumption of opium for smoking purposes was increasing, China did not manufacture narcotics, but was, nevertheless, flooded with these dangerous drugs smuggled from outside, particularly from Western countries. The Chinese Delegate alluded to Sir John Jordan's proposal, made in the Advisory Committee, that the reduction of the export of opium from India and of the consumption of opium in the Far Eastern territories of the Powers should be effected at the rate of 10 per cent. each year for the period of 10 years. He desired to endorse this proposal, and stated that if it were carried out China would assist by carrying out her obligations to the full under the Hague Convention. The reference to Sir John Jordan's proposal had no direct connection with the resolutions before the Assembly, and in the circumstances the Indian Delegation did not consider it necessary to pursue the matter. No other speeches were made in this debate, the main interest of the opium question being now transferred to the International Conference to be held in November.

#### HIGH COMMISSION FOR REFUGEES.

47. On the 10th September the Committee opened its discussion on the question of the continuance of the activities of the High Commission for Refugees from Russia and Armenia. We have already referred to this question among the subjects dealt with by the Fourth Committee. Dr. Nansen said that further funds would be necessary for carrying on the work of the Commission, and explained his proposal for the transfer of the work to the International Labour Office. The Advisory Committee of the High Commission for Refugees, at its meeting on the 3rd September, had endorsed the High Commissioner's proposal that, with a view to carrying the work of the High Commission to a satisfactory conclusion, adequate funds should be provided, and that the work should in future be carried on through the International Labour Organisation under a mixed Commission representative of that body and of the League.

M. Sarrant (France) and Mrs. Swanwick (Great Britain) after noting that the Council had adopted Dr. Nansen's recommendations, while the Governing Body of the International Labour Organisation had not as yet seen its way to accept the Council's proposal, combined in proposing that, pending the outcome of the negotiations still in progress between the Council and the Governing Body, the sum of 203,000 francs, as provided in last year's budget, should be voted specially in the budget of this year to provide for carrying on the work. M. Thomas, the Director of the International Labour Office, and M. Avenol (Deputy Secretary-General), agreed that the matter of the future organisation should be left for decision between the Council and the Governing Body. The delegates of Poland, Czechoslovakia, Romania, Brazil, Italy, and Jugo-Slavia referred to the work which they had undertaken, or were prepared to undertake, on behalf of the refugees, and commended Dr. Nansen's proposals. M. Tsouderos (Greece) drew attention to the fact that certain European banking firms with branches in Asia Minor had confiscated sums belonging to the refugees on grounds of which the legal basis was at least open to doubt, and desired that the League of Nations should cause representations to be made to these banking establishments in order that the sums owed to the refugees might be restored to them as soon as possible. Mr. Hofmeyr (South Africa), at a later meeting, supported by M. Parra-Perez (Venezuela), expressed doubts as to the desirability of carrying out the transfer of the refugee work to the International Labour Organisation. While agreeing that the work itself should continue, he doubted whether it fell strictly within the compass of the League's activities. Mr. Hofmeyr recommended the appointment of a sub-Committee to report on the economies which the transfer would involve, and the probable duration of the commitments of the League in this respect. Mr. Hofmeyr's proposal was not adopted, but, as stated in para. 35 of our Report, the question of limiting the duration of the work after transfer to the International Labour Organisation was further pursued in the Fourth Committee.

\*See p. 125 for  
Committee's  
Report.

Assembly  
Resolution  
No. 18  
(23 Sept.).

On the 25th September the Assembly adopted the following Resolution proposed by the Fifth Committee\* :—

The Assembly feels it its duty to pay a wholehearted tribute to the High Commissioner, Dr. Fridtjof Nansen, both for his unceasing devotion, of which for more than four years he has given proof, in assisting refugees of every nation and for the high qualities which he has displayed in the carrying out of his onerous duties.

The Assembly would record the fact that, with very limited means at his disposal, Dr. Nansen has saved from misery and often from death hundreds of thousands of human beings, and would render him the grateful thanks due to him as a benefactor of humanity; it relies on his cordial co-operation for the continuance of the work on behalf of the refugees.

#### 1. The Assembly :

Considering that the most important work which still remains to be done refers to the employment, emigration and settlement of the refugees;

Considering, moreover, that the Council has adopted the High Commissioner's recommendation for the transfer to the International Labour Organisation of the work still to be accomplished, subject to the approval of the Governing Body:

Adopts the Council's decision of the 12th June, 1924, and places at its disposal sufficient funds, that is to say 203,000 francs, specially set aside for the administrative services required to deal with the establishment of the Russian and Armenian refugees during the year 1925, and requests the Council to continue negotiations with the Governing Body of the International Labour Organisation in order to determine the precise conditions under which the work now in course of accomplishment shall be completed.

#### 2. The Assembly :

Moved by the Greek delegate's statement in regard to the confiscations effected in certain banks to the detriment of the Armenian and Greek refugees;

While making no pronouncement in regard to the facts with all the details of which it is not acquainted, or in regard to the competence of the League in this question:

Urgently invites the Council to make a careful enquiry into the facts in question and then to take such measures as it may consider necessary, should it decide that the matter comes within the sphere of action of the League of Nations.

### TRANSFER OF ARMENIAN REFUGEES TO CAUCASUS AND CREATION OF AN ARMENIAN NATIONAL HOME IN THAT REGION.

48. On the 28th September 1923 the Council adopted a resolution appealing to all States Members of the League to support by such charitable means as were in their power the work of the assistance for the Armenian refugees and noting a scheme put forward by the President of the Armenian National Delegation for the settlement of Armenians in the Plain of Askarabad in the Caucasus. In response to this appeal various countries replied that they found it impossible to offer Government assistance. The French Government only had given financial support by allotting a sum of 335,000 francs for disposal by a national Committee established in France to further the scheme. The question of the further action to be taken on the Council's resolution was raised by the Greek Delegation at the Fifth Assembly. M. de Brouckère (Belgium), who was appointed by the Fifth Committee to report to the Assembly on the subject, while insisting upon the special responsibility which had been assumed by the League of Nations towards the Armenians as a result of successive resolutions passed at previous Assemblies, thought that the question of the transfer of the Armenian refugees to the Caucasus required careful investigation, this region being one in which races were specially mixed and where war was again in progress. He pointed out that it was particularly necessary to avoid raising false hopes among the Armenians, and considered that it might be possible to establish them elsewhere than in the Caucasus. He paid a warm tribute to the Government and people of Greece for the sacrifices which they had made on behalf of Armenian refugees, whom they had treated on an equal footing with refugees from among their own people. He proposed that Dr. Nansen should be asked to investigate the possibility of the scheme for settlement in the Caucasus, and that for this purpose a further sum of 50,000 francs should be placed at the High Commissioner's disposal. In the debate on these proposals the Marquis McSwiney of Mashonaglass (Irish Free State) suggested that the possibility of settling the Armenian refugees elsewhere than in the Caucasus should also be explored, and that the Assembly should be asked to secure every possible facility for giving productive employment to the refugees in other countries, with a view to safeguarding their national existence, until a national home for them could be established. The changes adopted in the proposals regarding the settlement of the Armenians on the recommendation of the Fourth Committee

are mentioned in para. 35 of our Report. The following Resolution was adopted by ~~Sec p~~ in the Assembly on the 25th September:—

The Assembly, bearing in mind the resolutions passed by the first, second and third Assemblies and by the Council in favour of the Armenians;

Desirous of manifesting its sympathy towards these unfortunate people;

Having considered the proposals made for the settlement of the Armenian refugees in the Caucasus and elsewhere;

Considering it undesirable, however, to express any opinion on the merits of such proposals until they have formed the subject of careful and impartial enquiries.

Invites the International Labour Office, in collaboration with Dr. Nansen, to institute an enquiry with a view to studying the possibility of settling a substantial number of Armenian refugees in the Caucasus or elsewhere;

And adds a further sum of 50,000 francs to the Refugee budget for 1923 for this purpose, it being understood that, by voting this credit, Members of the League assume no obligation as to the execution of any scheme whatever in this connection.

The Assembly further declares that, until an Armenian national home can be established, every possible facility should be given to the refugees to establish themselves in productive employment in other countries so as to maintain and safeguard their national existence.

Finally, it proposes that the Greek Government and nation should be thanked and congratulated on the admirable efforts which they have made on behalf of the Armenians, and that gratitude should be expressed to the United States and other countries for the generosity which they have never ceased to show towards the Armenians. It further proposes that they should be asked to continue to afford these unhappy people a help which is indispensable and of great value during the crisis through which they are passing.

#### PROMOTION OF CHILD WELFARE.

19. As an outcome of the International Congress for the Promotion of Child Welfare held in Brussels in 1913 an International Association was founded in Brussels to act as a link between the various countries and between societies and persons devoting themselves to the promotion of child welfare in all countries, to assist in the investigation of this subject, and to encourage progress in legislation and the conclusion of international agreements for the benefit of children. The Association received the support of 10 States, including Belgium, France, Italy and Switzerland. The British Government, however, refused to accede to the Convention establishing it, considering that international work of this nature should be entrusted to the League of Nations. Since that date the Council of the League has been in negotiation with the International Association, with a view to its being placed under the authority of the League of Nations. In March 1921 the Council adopted a resolution deciding that the work hitherto carried out by the Association should in future be entrusted to the Secretariat of the League, an agreement having been reached with the Belgian Government on the subject. For this purpose the Secretary-General proposed to add one member to the Social Section to the Secretariat.

M. de Brouckère (Belgium), who was appointed by the Fifth Committee to report to the Assembly on this proposal, put forward a draft resolution recommending that the Council should reconstitute the Advisory Committee on the Traffic in Women and Children under a new name, to include two groups of assessors, one group to attend when questions relating to the traffic in women and children were discussed, and the other (on which persons qualified to act as representatives of private organisations concerned with child welfare would be appointed) to deal with questions relating to the promotion of child welfare. M. de Brouckère's proposals received considerable support in the Committee, but Mrs. Swanwick (Great Britain) expressed the fear that the programme contemplated would necessitate the engagement of a considerable staff. In particular, the British Delegation were anxious to avoid any duplication of work with the International Labour Organisation and the Health Organisation. At a later meeting M. de Brouckère, in agreement with Mrs. Swanwick, put forward amended proposals, in which safeguards against duplication of work between the various organisations of the League concerned with work for children were introduced. He proposed that the subjects to be dealt with by the Advisory Committee should preferably be those in which comparison of the methods and experience of different countries, and consultation and interchange of views between the officials and experts of those countries, could be utilised to assist the Governments in dealing with the problems of child welfare. The proposals involved a supplementary credit of 40,000 francs.

The Fourth Committee, in examining the Fifth Committee's proposals, found itself unable to approve the credit of 40,000 francs. It considered the sum of 10,000 francs already provided in the budget to be sufficient. After further discussion

in the Fifth Committee, in the course of which M. de Biouckère explained the embarrassment created by the refusal of the Fourth Committee to vote the supplementary credit, it was finally decided to express regret that, for general budgetary reasons, the supplementary funds asked for were not available for 1925, but to request the Council to invite the Advisory Committee, when reconstituted, to present in its Report to the Council and the Sixth Assembly an estimate of the appropriations necessary in order to carry out adequately the future undertakings of the Committee.

On the proposal of M. Valdes-Mendeville (Chili) the Committee also decided to propose for endorsement by the Assembly a declaration of the rights of the child—commonly known as the Declaration of Geneva. The above proposals were embodied in the Resolution adopted by the Assembly at its meeting of the 26th September :—

Assembly  
Resolution  
No. 28  
(26 Sept.)

### I.

1 The Assembly ratifies the decision adopted by the Council at its session in March 1924 providing that the work hitherto carried out by the International Association for the Protection of Children should henceforth be entrusted to the Secretariat of the League of Nations

2 The Assembly requests the Council to reconstitute the Advisory Committee on the Traffic in Women and Children under a new name and with two groups of assessors, one group to attend whenever questions relating to the traffic in women and children are dealt with and the other when questions relating to the protection of children are discussed

The Assembly recommends that the assessors belonging to the latter category should include persons qualified to act as representatives of the principal private organisations dealing with the protection of children, and, in particular, the International Association for the Protection of Children

3 The Assembly considers that the subjects to be dealt with and the methods of dealing with them should be such as may be approved by the Council on the advice of the Advisory Committee; and considers that in this matter the League can most usefully concern itself with the study of those problems on which the comparison of the methods and experiences of different countries, consultation and interchange of views between the officials and experts of different countries and international co-operation may be likely to assist the Governments in dealing with such problems

4 The Assembly takes note of the fact that the protection of children in certain respects already falls within the scope of the work of existing organisations of the League, for example, protection, from the hygienic point of view, falls within the sphere of the Health Organisation of the League, and the regulation of the conditions of employment of children within that of the International Labour Organisation, and considers that, in carrying out any new duties entrusted to the League, care should be taken to prevent any duplication of work

5 The Assembly recommends in addition that the Health Organisation of the League should be invited to consider any measures within its competence which it would be desirable and practicable to undertake for the protection of children from the hygienic point of view

6 The Assembly, considering that the international work proposed is of great permanent, social, scientific and juridical value, regrets that for general budgetary reasons the supplementary funds asked for are not available for 1925. It requests the Council to invite the Advisory Committee, when reconstituted, to present, in its report to the Council and the sixth Assembly, an estimate of the appropriations necessary for the adequate prosecution of its future undertakings

### II

The Assembly endorses the declaration of the rights of the child, commonly known as the Declaration of Geneva, and invites the States Members of the League to be guided by its principles in the work of child welfare

#### *Declaration of Geneva*

" By the present Declaration of the Rights of the Child, commonly known as the Declaration of Geneva, men and women of all nations, recognising that mankind owes to the child the best that it has to give, declare and accept it as their duty that, beyond and above all considerations of race, nationality or creed

" I The child must be given the means requisite for its normal development, both materially and spiritually,

" II The child that is hungry must be fed, the child that is sick must be helped, the child that is backward must be helped, the delinquent child must be reclaimed; and the orphan and the waif must be sheltered and succoured,

" III The child must be the first to receive relief in times of distress;

" IV The child must be put in a position to earn a livelihood and must be protected against every form of exploitation,

" V The child must be brought up in the consciousness that its talents must be devoted to the service of its fellow-men "

### INTERNATIONAL FEDERATION FOR MUTUAL ASSISTANCE FOR RELIEF OF PEOPLES OVERTAKEN BY DISASTER.

50. As a result of a resolution of the Fourth Assembly dated the 20th September 1923, a scheme, originating with M. Ciaolo, President of the Italian Red Cross, for mutual assistance of peoples overcome by disasters, was communicated to Governments and to the States Members of the League for comment. Replies were

\* Page 28 of the Report of the Delegates to the Fourth Assembly.

received before the meeting of the Assembly from 15 Governments. Of these only five expressed agreement with the scheme. The basis of the proposal was to establish a permanent technical organisation with power to collect financial resources, and with a staff capable of providing assistance, for States stricken by grave disasters. It was proposed that this organisation should be placed under the control of the Red Cross, which would thus obtain a status in peace-time for the alleviation of distress comparable with that which was universally accorded to it in time of war. Senator Circolo, who was appointed by the Fifth Committee to report to the Assembly on the progress of the scheme, submitted draft resolutions with a view to the appointment as soon as possible of a Preparatory Committee, comprising representatives of the International Red Cross Organisations, technical experts and himself, to draft a convention for discussion by an International Conference to be convened by the Council. A number of delegates appeared satisfied that the replies of Governments so far received would justify this action being taken, but the delegates of Great Britain, Sweden, Norway, South Africa, and India were unable to support the proposals. Sir Muhammad Rasique pointed out that India already had to provide for the relief of her peoples from the distress caused by famine and epidemics, and doubted whether the help which other countries might be able to render India in such emergencies would be commensurate with the sacrifice involved in the expenditure of Indian resources on a scheme of indirect and remote benefit to India. M. Sarrant (France) believed that the differences of opinion expressed in the Committee could be reconciled, and proposed the appointment of a sub-Committee to draw up a draft resolution which would meet the views of the Committee as a whole. In the draft proposed by this sub-Committee it was recommended that, in the first place—

- (a) the kinds of calamity to which the scheme would apply;
  - (b) the financial commitments involved, based on the actual sums spent in relief of calamities, either by private subscription or in the budgets of the various countries;
  - (c) the approximate contributions likely to be required from individual States;
- should be investigated by the Secretariat, and that, on the basis of the information supplied, a Preparatory Committee should be appointed by the Council to propose a concrete scheme for submission by the Council to the Assembly.

Opposition to the proposals in their revised form was still expressed by Mrs. Swanwick (Great Britain) and Mme. Bigge-Wicksell (Sweden). Mrs. Swanwick believed that the Committee had been to some extent carried away by generous motives, and doubted if all the States which now supported the scheme would be ready to pay the additional contribution of 10 per cent. to the budget of the League which it would probably require. A revised draft resolution was proposed by M. Fernandez y Medina (Uruguay) in the hope of reconciling the differences. Mrs. Swanwick proposed instead a draft resolution requesting the Council to instruct the Secretary-General :—

- (1) to request the Governments whose replies had not been received to expedite those replies with a view to ascertaining whether the scheme is likely to receive sufficient support to justify this Assembly in undertaking the summoning of an International Conference on the subject;
- (2) to request the Committee on Intellectual Co-operation to encourage, and if possible co-ordinate, the scientific movement for the research of material for the study of diseases;
- (3) to place himself in communication with the International Red Cross Organisation, with a view to exploring certain suggestions made by the Swedish Delegation. These were (a) to give to the Red Cross in time of peace a legal status enabling it to intervene to mitigate human suffering in the same manner as it intervened in time of war; (b) that the International Red Cross Organisation should co-ordinate the assistance from Red Cross Societies of other countries.

Mrs. Swanwick's Resolution was rejected by 19 votes to 6, and the Resolution proposed by M. Fernandez y Medina was carried in the Fifth Committee by 21 votes to 3; Great Britain, India and Sweden forming the minority. The latter Resolution was adopted unanimously by the Assembly at its meeting on 26th September 1924. It reads as follows :—

The Fifth Assembly, reiterating the tribute paid by the preceding Assembly to the noble initiative and perseverance of M. Giovanni Circolo, delegate of Italy, President of the Italian Red Cross, and author of the scheme for establishing an international union against calamities;

For Committee's Report see p. 125

Assembly Resolution No. 29 (29 Sept.)

Whereas his proposal is in harmony with the spirit of international solidarity by which the League of Nations is inspired, and provides, in accordance with Article 25 of the Covenant, for the fruitful utilisation of the International Red Cross Organisation for works of peace;

And whereas this proposal has been received with sympathy by the Governments to which it has been submitted;

But, by reason of the reservations made by a certain number of these Governments, still requires exhaustive investigation before it can be carried into effect, decides—

1. That a Preparatory Committee, appointed by the Council of the League of Nations in accordance with the terms of Article 2 below, be instructed to determine, in conjunction with the Secretariat:

- (a.) The exact sphere within which the proposed international union would be called upon to take action, *i.e.*, the kinds of calamity in respect of which it would intervene, and the extent of the relief which it would grant in cases of extreme urgency;
- (b.) The needs which would have to be met, estimated on the basis of the information immediately available regarding the funds included in the budgets of States, provinces or municipalities, or subscribed by private persons for the relief of such calamities of late years and of estimates to be supplied by insurance experts;
- (c.) The approximate contribution which would in these circumstances appear to be necessary in order to ensure the execution of this scheme and the amount for which each State would be liable, taking as the basis a proportion corresponding to that of its present contribution towards the expenditure of the League of Nations, without neglecting the possibility of voluntary assistance in the form of donations or bequests.

2. That the Preparatory Committee be formed by obtaining the friendly co-operation of the author of the scheme, of representatives of the International Red Cross Organisations, and technical experts chosen among learned bodies and insurance associations. It will have available, in order to meet its necessary expenditure, the sum of ten thousand francs generously placed at the disposal of the Council by the Italian Red Cross Society, and twenty thousand francs provided by the League of Nations.

3. That the Committee, paying due regard to the investigations and enquiries provided for in Article 1, shall lay before the Council concrete proposals relating alike to the objects in respect of which assistance will be given, and to the nature and extent of such assistance, and, further, to the contribution which each State might be called upon to pay, in order that the Council, after consultation with the various Governments, may submit to the Assembly such resolutions as it considers desirable.

#### TRAFFIC IN WOMEN AND CHILDREN.

51. The following Resolution was recommended by the Fifth Committee and adopted by the Assembly on the 25th September:—

1. The Assembly expresses its keen satisfaction with the work accomplished by the Advisory Committee on the Traffic in Women and Children, and adopts its report and resolutions.

2. The Assembly expresses its regret that so few States have as yet ratified the International Convention of 1921, and recommends that those States which have not yet adhered to or ratified the Convention should be invited to give the reasons which have prevented their doing so.

3. The Assembly endorses the resolution of the Council approving the decision of the Advisory Committee regarding the annual reports, and inviting those States which have not yet furnished these reports to be good enough to do so in the future, and further inviting those States which sent in their reports for 1922 too late to be included in the summary of annual reports, to furnish them by the 1st April of each year in the case of Western States, and by the 1st July in the case of Far-Eastern States.

4. The Assembly endorses the following decision of the Council dated the 11th June, 1924:

“The Council, being of opinion that a full collection of laws and regulations relating to the traffic in women and children is essential to the work of the Advisory Committee, again invites those Governments which have not already furnished copies of such laws and regulations to be good enough to do so with the least possible delay.”

5. The Assembly also endorses the following decision of the Council dated the 11th June, 1924:

“The Council invites those States which have undertaken to appoint central authorities, but have not yet appointed them, to do so without delay, and requests them to be good enough to communicate the names of these authorities to the Secretariat.”

6. The Assembly endorses the following decision of the Council dated the 11th June, 1924:

“The Council of the League of Nations, greatly appreciating the readiness with which many Governments have complied with the request formulated by the Council on the 19th April, 1923, regarding some aspects of the system of licensed houses, expresses the hope that those Governments which have not yet made known their opinions on the subject will furnish the information asked for, and requests the Advisory Committee to continue its study of the question in the light of any further replies which may be received.”

#### PROTECTION OF WOMEN AND CHILDREN IN THE NEAR EAST.

52. By a Resolution of the First Assembly a Commission of Enquiry into the position of women and children in the Near East was established in Constantinople and Aleppo, the former under the direction of Dr. Kennedy (Great Britain) and Miss Cushman (America), and the latter at Aleppo under the direction of Miss Carin Jeppe (Denmark). In each of these places a receiving home was later opened in the

Assembly  
Resolution  
No. 19  
(23 Sept.)

*See p. 124 for  
Committee's  
Report.*

name of the League, where women and children who had been detained among nationalities other than their own were helped either to return to their relatives, to find work, to emigrate, or, in the case of children, to find a home in some charitable institution. Satisfactory reports of the work of the two branches were received from the Commission, and the Assembly adopted, on the recommendation of the Fifth Committee, the following Resolution on 25th September:—

1. The Assembly expresses its thanks to the Governments responsible for the territories under mandate or under Allied control in which members of the Commission for the Protection of Women and Children are working, for the support they have given to the Commission and its members, and it requests them to continue to give this support.

2. The Assembly approves the report of Dr. Kennedy and Miss Karen Jeppé; it expresses its great appreciation of the work they and their assistants have accomplished.

3. The Assembly decides that as in 1921 the sum of 75,000 francs shall be allocated for the work of the Commission during 1925.

Assembly  
Resolution  
No. 23  
(25 Sept.)

#### THE PRINCIPLE OF CLOSER MUNICIPAL RELATIONS.

53. The Fourth Assembly adopted a Resolution referring to the Fifth Assembly<sup>\*</sup> of the League a proposal submitted by the Cuban Delegation for the furtherance of direct relations between the important municipalities of the various countries with a view to diffusing the ideals which led to the creation of the League of Nations. In the discussion of the Report submitted to the Fifth Committee by Mr. Patterson (Cuba), M. Pironi (Italy) pointed out the possible danger of conflict between a State and its municipalities as a result of the development of the system. M. Sarrant (France) considered that the Secretariat should draw up, in preparation for the Sixth Assembly, a report on the facilities which might be utilised, and the part which the League of Nations might play, in the development of inter-municipal co-operation. When the proposal was brought before the Assembly on the 20th September, M. Hymans (Belgium) emphasised the possible dangers of conflict between the State and its municipalities unless the proposal were carefully safeguarded. The Assembly, however, adopted the following Resolution:—

Assembly  
Resolution  
No. 4  
(20 Sept.)

Whereas the maintenance of direct relations between the important municipalities of the various countries, upon the strict limits of national sovereignty, is a new form of co-operation between peoples which will contribute largely to diffusing the ideals which led to the creation of the League of Nations, and also to good neighbourly relations;

The Assembly decided to accept with the greatest sympathy the principle of closer municipal relations which the Santiago Conference recommended to the Members of the Pan-American Union for adoption.

And requests the Secretariat to draw up in preparation for the sixth Assembly a report on inter-municipal co-operation, on the existing facilities which might be utilised to that end, and on the part which the League of Nations might play in this matter, having regard to the means which might be available and to any facilities provided by other organisations.

#### SUBJECTS REFERRED TO COMMITTEE VI. (POLITICAL QUESTIONS).

54. At its opening meeting the Sixth Committee appointed two sub-Committees to deal with the following questions:—

- (1) The reports on the work of the Permanent Mandates Commission and of the Temporary Committee on Slavery. Chairman: Dr. Nansen (Norway).
- (2) The request of the Lithuanian Government arising out of the Polish-Lithuanian dispute. Chairman: M. Einkell (Finland).

#### WORK OF THE TEMPORARY COMMITTEE ON SLAVERY.

55. The Fourth Assembly, in a Resolution<sup>\*</sup> of 28th September 1923, recommended the appointment of a Committee of Experts to consider and report on the information collected by the Secretariat, after reference to the Governments of States Members of the League, as to the existence of slavery in their territories. On 11th December 1923, the Council instructed the Secretariat to enquire of States in whose territories slavery had been known to exist in the past:—

- (1) What means had been applied by them to suppress slavery;
- (2) What success had been achieved by this means, and with what economic and social results;
- (3) If they could indicate any organisations or individuals able to supplement the official information supplied by them on these subjects.

\* Page 32 of the Report of the Delegates to the Fourth Assembly.

† Page 39 of the Report of the Delegates to the Fourth Assembly.

The Committee of Experts, on which Great Britain was represented by Sir Francis Lugard, met in July last under the chairmanship of M. Gohr (Belgium) to consider the replies received from the various Governments. The Committee stated in its Report that it felt some doubt as to the exact extent of its terms of reference. It had accordingly decided to draw up the following syllabus of subjects which it considered as coming within the scope of its enquiry:—

- (1)—(a) Enslaving of persons, slave-raiding, and the slave trade;
- (b) Slave dealing, including transfer by exchange, sale, gift, or inheritance;
- (c) Slavery and serfdom (domestic or predial).
- (2) Practical restriction of liberty of the person; for example—
  - (a) Acquisition of girls by purchase disguised as a payment of dowry (irrespective of normal marriage customs);
  - (b) Adoption of children of either sex with the ultimate object of the disposal of their persons;
  - (c) All forms of pledging persons, whether for debt or for other reasons.
- (3) Measures taken to deal with practices under (1) and (2), and the results achieved thereby.
- (4) The system of compulsory labour, public or private, paid or unpaid.
- (5) Measures taken or contemplated to facilitate transition from servile or compulsory labour to free wage labour or independent production.

The Committee resolved to consult the organisations indicated by Governments as suitable for this purpose. In cases where other organisations or individuals volunteered information, the Governments to whose territories the information related would be asked if they considered the individuals or bodies to be reliable and competent to give such information. The communications of these individuals or bodies, when received, would be referred for the information of the Governments concerned.

On these terms the Committee proposed to continue its investigations, appointing M. Delafosse (France) to be *rappoiteur* of the Committee.

The sub-Committee recommended the adoption of the Temporary Slavery Committee's Report and of the proposals which it contained. The Report of the sub-Committee was discussed in the Sixth Committee on the 15th September. Representatives of various Governments, while emphasising the delicacy of the enquiry to be undertaken and its wide scope, expressed confidence that it would be conducted in a tactful manner by the Slavery Committee, especially as regards the use of information received from non-official sources. Mr. Roden Buxton (Great Britain) stated that the British Government could not, of course, bind itself beforehand to accept the measures which might be proposed by the Slavery Committee, but would consider them carefully on their merits. On the 22nd September the Assembly adopted the following Resolution on the subject:—

The Assembly, having taken note of the report of the Temporary Committee on Slavery:

1. Decides to express its gratitude to the members of this Committee for their excellent work;
2. Relying completely on the wisdom and tact of this Committee to carry out the delicate and difficult enquiry entrusted to it, approves the programme and the methods of work set forth in the Committee's report.

#### REPORT OF THE PERMANENT MANDATES COMMISSION.

56. The Report of the Fourth Session of the Permanent Mandates Commission, which was referred for the consideration of the sub-Committee, was confined to six only of the 13 mandated territories. A further session is to be held to consider matters arising out of the exercise of the Mandates in the remaining territories. The Report of the Commission contained, in addition to certain general observations, remarks on the administration of Ruanda Urundi, the Cameroons, French Mandated Togoland, Tanganyika, Western Samoa, and South-West Africa.

57. Among the general observations of the Commission the following were of chief interest.

#### *Liquor Duties.*

An agreement has been reached between Great Britain and France for equalisation of the liquor duties in their adjoining mandated territories in West Africa. It is hoped that the agreement will result in the cessation of smuggling of liquor from one territory to another.

### *Military Recruitment.*

Last year the Commission expressed the view that the enlistment of natives of a mandated territory for military service outside that territory would be a violation, if not in letter at least in spirit, of the mandate conferred. Great Britain was unable at the time to accept the juridical interpretation placed upon the mandate, but has since decided not to maintain its right to recruit natives of mandated territories presenting themselves for enlistment in His Majesty's Forces outside those territories. The French Government have expressed general concurrence in the view of the British Government, and the Commission has proposed that other Powers exercising similar types of mandates should be consulted as to their view of the matter.

### *Investment of Capital.*

The Commission draw attention to the uncertainty prevalent as to whether the mandate system will be continued for any length of time. The result of this uncertainty is to obstruct the emission of loans for public service in mandated territories and the investment of private capital in its territories. The Council are invited to make a pronouncement calculated to increase confidence in the permanence of the present system.

58. In regard to the exercise of the mandates in particular territories, the Commission expressed great gratification at the presence of Mr. Hofmeyr (South Africa) at its meetings. In his capacity of Administrator of the South-West African Mandated Territory he is stated to have proved of great assistance to the Commission in reaching its conclusions. The Commission, subject to certain further enquiries which it has asked the South African Government to undertake, now expresses its general satisfaction with the administration of this territory. Other countries exercising mandates are invited to send their local officials to appear before the Mandates Commission when the question of their territory is under discussion. It may be noted that Sir Herbert Samuel, High Commissioner for Palestine, is to appear at the next meeting of the Mandates Commission when the question of the Palestine Mandate is under discussion.

The Report of the sub-Committee was presented to Committee VI on the 18th September. Mr. Roden Buxton (Great Britain) suggested, in the general discussion of the Report, that the Permanent Mandates Commission might usefully deal to a greater extent with the more general aspects of administration of mandated territories, and thus render its reports more interesting to the general public. He considered it would be a great step forward if, as a result of the work of the Mandates Commission, a wider extension of the sound principles of colonial administration laid down in the Covenant could be brought about in the colonial possessions of States Members of the League. He drew attention to a Resolution passed at the Third Assembly on the question of minorities, in which it was recommended that Powers not expressly bound by a minority treaty should be asked to apply principles in their territories at least as liberal as those embodied in the treaties for protection of minorities. He suggested that, on this analogy, Powers with colonial possessions not held under mandate might be asked to apply in these possessions principles not less liberal than those applied in mandated territories. M. Freire d'Andrade (Portugal), Count Bonin-Lougaré (Italy), Dr. Nansen (Norway), and Sir Joseph Cook (Australia) were unanimous in expressing doubt as to the wisdom of proposing such an extension of the work of the Mandates Commission, which they held should be confined to the examination of questions arising in territories held under mandate.

The Assembly adopted, on the 22nd September, the following Resolution on the subject :—

The Assembly, having taken cognisance of the report of the Permanent Mandates Commission relating to its fourth session, of the observations made by the accredited representatives of Belgium, France, New Zealand and the Union of South Africa, and of the resolution of the Council dated the 29th August, 1924:

Assembly  
Resolution  
No. 12  
(22 Sept.).

(a.) Desires again to convey to the Permanent Mandates Commission its profound and sincere thanks for the zeal, the great competence and the perfect impartiality with which it has invariably discharged its important and difficult duties.

(b.) Earnestly recommends that a solution should be found as soon as possible for the question of loans, advances and investment of capital in the mandated territories, the present position of which is likely to prove a very serious hindrance to the development of these territories; and

(c.) Recalls the fact that the inhabitants of mandated territories have the right to address petitions to the Council, in accordance with the procedure already established;

(d.) Hopes that the mandatory Powers will, with as little delay as may be required to give effect to the resolution adopted by

Permanent Mandates Commission concerning the definition of the technical terms employed in the conventions relating to the liquor traffic;

(e.) Requests that the reports of the Mandatory Powers should be distributed to the States Members of the League of Nations and placed at the disposal of the public who may desire to purchase them;

(f.) Recommends that analytical tables should be drawn up as an annex to the reports of the Permanent Mandates Commission;

(g.) Expresses the desire that it will be possible for the mandatory Powers in the future to entrust to officials personally responsible for the administration of the mandated territories, as often as circumstances will permit, the duty of representing them before the Permanent Mandates Commission.

#### FRONTIER BETWEEN IRAQ AND TURKEY.

59. Simultaneously with the meeting of the Assembly the Council had under discussion the question of the dispute between Turkey and the British Mandated Territory of Iraq. The subject was not brought before the Sixth Committee or discussed in the Assembly session, but we have thought it appropriate to reproduce the correspondence on the matter between the British and Turkish Governments which was circulated for the information of the Assembly at the request of those Powers.

#### REQUEST TO THE LITHUANIAN GOVERNMENT ARISING OUT OF THE DELIMITATION OF THE FRONTIERS OF LITHUANIA AND POLAND.

60. On the 3rd February 1922 the Council proposed a line of demarcation of the Polish and Lithuanian frontiers. The proposed frontier was accepted by Poland but not by Lithuania. Subsequently Poland invited the Conference of Ambassadors, in accordance with Article 87 (3) of the Treaty of Versailles, to undertake the delimitation of the disputed frontier. The decision given by the Conference on the 15th March 1923 corresponded with the proposal previously made by the Council of the League. The Council resolved in April 1923 to recognise that the question had been determined in accordance with the Treaty of Versailles. Subsequently the question was raised by the Lithuanian Government whether this decision of the Council was consistent with its resolution on the 13th January 1922, that the Council could not recognise any solution of a dispute between two Members of the League, submitted to it by one of the parties, which might be reached without the consent of both parties. At the Lithuanian Government's request, its suggestion that a reference might be made to the Permanent Court of International Justice for an advisory opinion on the matter was placed on the agenda of the Fourth Assembly. Before the discussion of this proposal had been concluded<sup>\*</sup> the item was withdrawn from the agenda at the request of the Lithuanian Government and referred for consideration at the Fifth Session of the Assembly.

The first question with which the sub-Committee, appointed by the Sixth Committee at this session to consider the request of the Lithuanian Government, had to deal was whether the claim of the Delegation of Lithuania to be represented on the sub-Committee should be complied with. The Polish Delegation put forward the request that if the Lithuanian Delegation was represented it also should be represented. The view of the sub-Committee was that it should hear the representations of both sides when necessary, but reserve to itself the right to sit without them when it thought fit. This decision of the sub-Committee having been communicated to the Lithuanian Government by its Delegation, the Delegation was instructed to request that the item should be removed altogether from the agenda of the Fifth Assembly, while reserving to the Lithuanian Government the right to raise the matter again at an opportune moment.

#### GEORGIA.

61. On the 11th September the Delegations of France, Great Britain, and Belgium drew attention in the Assembly to the Resolution, adopted in September 1922 by the Third Assembly, wherein the Council was invited to follow attentively the course of events in Georgia, so that it might seize any opportunity which might occur to help in the restoration of that country to normal conditions by any peaceful means in accordance with the rules of international law. The Delegations of France, Great Britain, and Belgium desired that this Resolution might be renewed by the Fifth Assembly, having regard to the present condition of

affairs in Georgia. The Sixth Committee, to whom the matter was referred, appointed Mr. Macdonald (Irish Free State) after discussion in a sub-Committee to report to the Assembly on the question. Mr. Macdonald's report was as follows :—

“ The Assembly has referred to the Sixth Committee for consideration a proposal submitted by the Delegations of Belgium, the British Empire, and France in the following terms :—

“ ‘The Assembly, reiterating the Resolution adopted on 22nd September 1922 by the Third Assembly with reference to Georgia, invites the Council to follow attentively the course of events in this part of the world so that it may be able to seize any opportunity which may occur to help in the restoration of this country to normal conditions by any peaceful means in accordance with the rules of international law.’

This proposal is a textual reproduction of the Resolution adopted in 1922. The Third Assembly, promoted by feelings which we are sure our colleagues all share at the present time, entrusted to the Council the duty of watching the situation and seizing any favourable opportunity to improve it by peaceful means in accordance with international law.

“ The main features of the situation remain unaltered, and the tragic events which are at this moment taking place in Georgia must bring back to us the anxieties of the Third Assembly. As the Resolution of 1922 is already on record we may venture in addition to express the hope that the Governments of the States Members of the League may perhaps be able to assist the Council, either with information or by exercise of their influence for peace so far as circumstances may permit.

“ The Committee requests the Assembly to give instructions for the present report to be communicated to the Council, in order that the latter may be able, at a time and in the manner it may consider most opportune, to take into consideration the indications it contains.”

On the 25th September the Assembly adopted the following Resolution :—

The Assembly decides to authorise the transmission to the Council of the report of the Sixth Committee regarding the situation in Georgia in order that the Council may be able, at a time and in the manner it may consider the most opportune, to take into consideration the indications it contains. Assembly Resolution No. 25 (25 Sept.).

#### ADMISSION OF THE REPUBLIC OF SAN DOMINGO.

62. A sub-Committee was appointed on the 26th September to consider the application of the Republic of San Domingo for admission to the League. The replies to the questionnaire which was addressed to the representative of the Dominican Republic in accordance with precedent were held to be satisfactory. In reply to the enquiry whether the country was freely governed, it was stated that the temporary occupation of San Domingo by troops of the United States of America came to an end on the 12th July last. On the recommendation of the sub-Committee, which was supported by the Sixth Committee, the Dominican Republic was admitted on the 29th September to the League by the unanimous vote of 42 States. M. Jacinto de Castro was announced to have been accredited as delegate of the Republic at this session of the Assembly, and took his seat on the invitation of the President.

#### Miscellaneous Questions.

##### EXAMINATION OF THE REPLIES OF THE SUB-COMMITTEE OF JURISTS ON QUESTIONS SUBMITTED TO IT BY THE COUNCIL REGARDING THE ITALO-GREEK DISPUTE.

63. During the Fourth Session of the Assembly a Committee of Jurists was asked by the Council to formulate questions in regard to certain points concerning the interpretation of the Covenant and other matters of international law arising out of the Italo-Greek dispute, which the Council had had under consideration. The Committee of Jurists, which was presided over by M. Adatci (Japan), and on which Lord Buckmaster represented Great Britain, submitted to the Council a list of five questions,\* and subsequently furnished replies to them, on which they had reached agreement. The replies were reproduced in the Report of the Council on its work during the past year. The examination of these replies having been proposed by the

\* Page 48 of the Report of the Delegates to the Fourth Assembly.

Netherlands Delegation the Assembly adopted the following Resolution on the 20th September :—

The Assembly decides to place on its agenda and to refer to the Sixth Assembly the following proposal by the Netherlands Delegation.

The Assembly having taken note of the replies of the sub-Committee of Jurists appointed in pursuance of the Resolution adopted by the Council on 28th September 1923, and considering that certain points in these replies require elucidation, requests the First Committee to consider how far such elucidation would be desirable.

#### INSTRUCTION IN UNIVERSITIES AND SCHOOLS REGARDING THE AIMS OF THE LEAGUE.

64. The Assembly passed the following Resolution on the 20th September :—

The Assembly decides to place on its agenda and to refer to the sixth Assembly the proposal of the Uruguayan delegation that the Council should be requested to instruct the Committee on Intellectual Co-operation to invite all teachers and professors to collaborate in the work of the League by preparing and distributing to all scholastic institutions literature instructing the young in the aims of the League.

#### GENERAL TREATY OF ARBITRATION BETWEEN SWITZERLAND AND ITALY.

65. The Assembly passed the following Resolution on the 29th September :—

The Assembly, having heard with great interest the communication made by the first delegate of Italy, M. Salandra, and the declaration of M. Motta, President of the Assembly, with regard to the signature of a general treaty of arbitration between Switzerland and Italy,

Expresses to the Governments signatories of the agreement, its lively satisfaction at the conclusion of this treaty, the high importance of which is in conformity with the spirit which inspires the work of the fifth Assembly of the League of Nations.

#### TRIBUTE TO M. LÉON BOURGEOIS.

66. The Assembly passed the following Resolution on the 2nd October :—

The Assembly, before closing its Fifth Session, requests its President to send a telegram to His Excellency M. Léon Bourgeois, in order to communicate to him the approval given to the Protocol on Arbitration, Security, and Disarmament, and to pay, on behalf of the Assembly, a tribute of deep gratitude for the eminent services which he has rendered to the cause of justice and international peace.

#### Concluding Remarks.

67. Before concluding our Report we wish to place on record our warm appreciation of the valuable services rendered by other Members attached to the Indian Delegation in Geneva.

We were fortunate in again having temporarily at our disposal the services of Mr. Campbell, whose experience and knowledge of the most important questions at issue were of great value. We had also to congratulate ourselves on the fact that H.H. the Maharajah of Bikaner was accompanied by Sir Stanley Reed, whose knowledge of Indian affairs and whose tact and courtesy made him a very welcome addition to the Delegation, who have every reason to be appreciative of his services as Substitute in the Second and Third Committees.

We desire at the same time to pay a tribute to the ability and untiring zeal of Mr. Patrick, whose services as Secretary of the Delegation were invaluable. Mr. Patrick's intimate acquaintance with the work of the India Office, coupled with experience gained locally in India and a thorough knowledge of the French language, made in him a combination that it would be difficult to reproduce. He was a very useful Substitute in the Fourth Committee. We are confident of the success of his future.

Mr. Ottewill was present at Geneva for the fourth year in succession as Assistant Secretary and we have every reason to commend his efficiency and industry. We wish at the same time to mention the excellent services rendered by Miss Larkin and Mr. Dunn as confidential shorthand writers and typists.

Mr. Hills, of the India Office, has accompanied several successive Delegations to Geneva as Messenger, and has again this year proved very efficient.

(Signed) HARDINGE OF PENSIURST.

GANGA SINGH, MAHARAJAH OF BIKANER.

M. RAFIQUE.

## APPENDIX I.

List of States represented and their Delegates. (Many Delegations were also accompanied by Substitute Delegates other than those mentioned in this List, and numerous Expert Advisers.)

ALBANIA.—M. Fan Styliu Noli (Prime Minister). (In the absence of M. Fan Noli, M. Konitzka acted as First Delegate.) M. Louis Gurakuqi (Finance Minister). M. Mehmed Konitzka (Minister Plenipotentiary at Paris and London).

*Substitute.*—M. Benoit Blinishti (Consul-General in Switzerland, Director of the Permanent Secretariat accredited to the League of Nations).

ARGENTINE.—Not represented.

AUSTRALIA.—The Hon. Sir Littleton E. Groom, K.C.M.G., K.C., M.P. (Attorney-General for the Commonwealth of Australia). The Right Hon. Sir Joseph Cook, P.C., G.C.M.G. (High Commissioner in London). The Hon. Matthew Charlton (Leader of the Opposition).

*Substitutes.*—Mrs. S. M. Allan, LL.B. Sir William G. McBeath, K.B.E.

AUSTRIA.—Mgr. Seipel, Federal Chancellor, acted as head of the Austrian Delegation during his stay in Geneva. His Excellency M. Albert Mensdorff-Pouilly-Dietrichstein (former Ambassador). His Excellency M. Eméric Pilgl (Envoy Extraordinary and Minister Plenipotentiary).

BELGIUM.—M. Thennis (Prime Minister). (On the departure of M. Thennis, M. de Brouckère acted as Third Delegate.) His Excellency M. Paul Hymans (Minister for Foreign Affairs, Minister of State, Member of the House of Representatives, former Minister in London, former Minister for Economic Affairs). His Excellency M. Prosper Poulet (Minister for the Interior and Health, Member and former President of the House of Representatives, former Minister for Sciences and Arts, former Minister for Transport, the Navy, Posts and Telegraphs, Professor of International Law and Diplomatic History at the University of Louvain).

*Substitute.*—M. L. de Brouckère (Professor at the University of Brussels). M. Joseph Molat (Minister Plenipotentiary). M. Henri Rolin (Assistant Legal Adviser to the Ministry for Foreign Affairs). M. Ionwers (Member of the Belgian Council for the Colonies). M. van Leynseel (Secretary to the Ministry for Foreign Affairs).

BOLIVIA.—Not represented.

BRAZIL.—His Excellency M. Afranio da Mello-Franco (Member of the Chamber of Deputies, Ambassador on Special Mission, Brazilian Representative on the Council of the League of Nations, former Minister of State, former Ambassador on Special Mission in Bolivia, Member of the Permanent Court of Arbitration at the Hague, Professor at the Faculty of Law of Bello-Horizonte (State of Minas-Geraes), former President of the Brazilian delegation to the fifth Pan-American Conference at Santiago). His Excellency M. Raúl Fernandes (Envoy Extraordinary and Minister Plenipotentiary on Special Mission, former Member of the Chamber of Deputies, former Delegate at the Peace Conference and on the Reparation Commission). His Excellency M. Frederico de Castello Branco-Clark (Envoy Extraordinary and Minister Plenipotentiary, Deputy Minister on the Permanent Delegation accredited to the League of Nations, former Chef de Cabinet of the Minister for Foreign Affairs).

BRITISH EMPIRE.—The Right Hon. James Ramsay Macdonald, M.P. (Prime Minister, First Lord of the Treasury, Secretary of State for Foreign Affairs). (On the departure of Mr. Ramsay Macdonald, Professor Gilbert Murray took his place as a full delegate.) The Right Hon. Lord Parmoor, P.C., K.C.V.O. (Lord President of the Council). The Right Hon. Arthur Henderson, P.C., M.P. (Secretary of State for the Home Department).

*Substitutes.*—Professor George Gilbert Aimé Murray, LL.D., D.Litt. Sir Hubert Llewellyn Smith, G.C.B. (Economic Adviser to the British Government). Mrs. Helena M. Swanwick. Sir Cecil J. B. Hurst, K.C.B. (Legal Adviser to the Foreign Office).

*Assistant Delegate.*—Mr. Charles Roden Buxton.

BULGARIA.—His Excellency M. Christo Kulolf (Minister for Public Worship and Foreign Affairs). His Excellency M. Mikail Midjaroff (Member of the Chamber of Deputies, former Minister for Public Worship and Foreign Affairs). His Excellency M. Georges Danailow (Member of the Chamber of Deputies, former Minister).

*Substitute.*—M. Svetoslaw Poménow (Director of Political Affairs at the Ministry for Foreign Affairs).

CANADA.—The Hon. Raoul Dandurand, C.R., LL.D. (Senator, Member of the Privy Council, Minister of State, Representative of the Government in the Senate). The Hon. Edward Mortimer Macdonald, C.R. (Member of Parliament, Member of the Privy Council, Minister for National Defense).

*Substitute.*—Mr. Oscar Douglas Skelton, M.A., Ph.D. (Counsellor to the Ministry for External Affairs).

CHILE.—His Excellency M. Armando Quezada (former Prime Minister, former Finance Minister, Envoy Extraordinary and Minister Plenipotentiary in France). His Excellency M. Enrique Villegas (former Prime Minister, former Minister for Foreign Affairs, Ambassador at Rome).

*Substitute and Secretary-General*—M. Jorge Valdés-Mendeville (Chargé d'Affaires at Berne).

CHINA.—His Excellency M. Tang Tsai-Fou (Envoy Extraordinary and Minister Plenipotentiary at Rome). His Excellency M. Tch'enne Linne (Envoy Extraordinary and Minister Plenipotentiary in Sweden, Norway and Denmark). His Excellency M. Chao-Hsin Chu (Minister Plenipotentiary, Chargé d'Affaires in London, former Senator, Professor of Economics at the University of Peking).

*Substitutes.*—Dr. C. C. Wang (Director-General of the Chinese Eastern Railway). M. Wang Tseng-Sze (Counsellor of Legation, Secretary-General of the Chinese Delegation accredited to the League of Nations). Dr. Tcheou Wei (First Secretary of Legation, Director of the Permanent Office at Geneva of the Chinese League of Nations Service).

COLOMBIA.—His Excellency Dr. Francisco José Urrutia (former Minister for Foreign Relations, Minister Plenipotentiary in Switzerland).

COSTA RICA.—His Excellency M. Manuel de Peralta (Minister Plenipotentiary).

CUBA.—His Excellency M. Cosmé de la Torriente (Ambassador at Washington, former Minister for Foreign Affairs, former President of the Committee for Foreign Affairs of the Senate, Member of the Permanent Court of Arbitration at the Hague). His Excellency M. Aristides de Agüero y Bethancourt (Envoy Extraordinary and Minister Plenipotentiary at Berlin and Vienna). His Excellency M. Guillermo Patterson (Under Secretary of State for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary).

*Substitutes.*—His Excellency M. Guillermo de Blanck (Envoy Extraordinary and Minister Plenipotentiary in Switzerland and the Netherlands). His Excellency M. Carlos de Armenteros (Envoy Extraordinary and Minister Plenipotentiary at Rome).

CZECHOSLOVAKIA.—His Excellency Dr. Eduard Benes (Minister for Foreign Affairs). His Excellency Dr. Stephan Osusky (Envoy Extraordinary and Minister Plenipotentiary at Paris). His Excellency Dr. Ferdinand Veverka (Envoy Extraordinary and Minister Plenipotentiary at Bucharest).

*Substitutes.*—His Excellency M. Jan Dvoracek (Minister Plenipotentiary, Chief of the Economic Division at the Ministry for Foreign Affairs). Dr. Jan Kremar (Professor at the University of Prague). M. Jan Masaryk (Counsellor of Legation at the Ministry for Foreign Affairs). M. Rudolf Künzl-Jizersky (Counsellor of Legation in the Political Division of the Ministry for Foreign Affairs).

DENMARK.—His Excellency M. Herluf Zahle (Envoy Extraordinary and Minister Plenipotentiary at Berlin, Member of the Permanent Court of Arbitration). M. F. Borgbjerg (Minister for Social Affairs, Member of Parliament). M. Laust Moltesen (Doctor of Philosophy, Member of Parliament). M. Stauning, Prime Minister, acted as First Delegate during his stay in Geneva.

*Substitutes.*—His Excellency M. Andreas d'Oldenburg (Envoy Extraordinary and Minister Plenipotentiary at Berne, Representative of the Royal Government accredited to the League of Nations Office). M. Peter Munch (Doctor of Philosophy, former Minister for Defence, Member of Parliament). M. Holger Andersen (Member of Parliament).

ESTHONIA.—His Excellency M. Charles Robert Pusta (Minister for Foreign Affairs). Général Jaan Laidoner (Member of the Chamber of Deputies, former Commander-in-Chief of the Estonian Army). M. Ado Anderkopp (Member of the Chamber of Deputies, former Minister).

ETHIOPIA.—Aba Wolo Ras Nadeou (Governor of Gorea). Count Robert Linant de Bellefonds (Adviser to the Abyssinian Government). Ato Sahlé Sedalou (Secretary-General for Foreign Affairs).

FINLAND.—His Excellency M. Hjalmar Johan Procopé (Minister for Foreign Affairs). (In the absence and after the departure of M. Procopé, M. Holsti acted as Third Delegate.) His Excellency M. Carl Johan Alexis Enckell (Envoy Extraordinary and Minister Plenipotentiary at Paris, former Minister for Foreign Affairs). His Excellency M. Rafael Waldemar Erich (Professor of International Law at the University of Helsingfors, Envoy Extraordinary and Minister Plenipotentiary (unattached), former Prime Minister).

*Substitutes.*—His Excellency M. Eino Rudolf Holsti (Envoy Extraordinary and Minister Plenipotentiary at Tallinn, former Minister for Foreign Affairs). M. Kauko Väinö Voionmaa (Professor of the History of Finland and of the Northern Countries at the University of Helsingfors). M. Urho Toivola (Director of the Finnish Secretariat accredited to the League of Nations).

FRANCE.—His Excellency M. Edouard Herriot (Prime Minister, Minister for Foreign Affairs). (During M. Herriot's stay in Geneva, M. Paul Boncour acted as Substitute Delegate.) His Excellency M. Léon Bourgeois (Senator, former Prime Minister, former President of the Senate, Representative of the French Republic accredited to the League of Nations). His Excellency M. Aristide Briand (Member of the Chamber of Deputies, former Prime Minister). His Excellency M. Paul Boncour (Member of the Chamber of Deputies, President of the Advisory Committee of the Higher Council for Defence).

*Assistant Delegates.*—M. Louis Loucheur (Member of the Chamber of Deputies, former Minister). M. Henry de Jouvenel (Senator, former Minister). M. Maurice Sarraut (Senator).

*Substitutes.*—M. Georges Bonnet (Member of the Chamber of Deputies). M. Léon Jouhaux (Secretary-General of the General Labour Confederation). M. René Cassin (Professor of the Faculty of Law at Lille, Honorary President of the Federal Union of the Mutilated and Former Combatants).

GREECE.—His Excellency M. Nicolas Politis (former Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary in France). His Excellency M. E. J. Tsouderos (Finance Minister). M. André Andrade (Professor at the University of Athens).

*Substitutes.*—M. St. Seferides (Professor at the University of Athens). M. Nicolas Souidas (Director of the League of Nations Section at the Ministry for Foreign Affairs).

GUATEMALA.—M. R. Pineda de Mont.

HAITI.—His Excellency M. Bonamy (Envoy Extraordinary and Minister Plenipotentiary at Paris).

HONDURAS.—Not represented.

HUNGARY.—Count Bethlen, Prime Minister, acted as First Delegate during the discussion in the Assembly on the question of the reconstruction of Hungary. His Excellency Count Albert Apponyi (Member of the National Assembly, former Minister for Public Worship and Education). His Excellency Baron Frédéric Korányi (Finance Minister). General Gabriel Tánczos (former Minister for Foreign Affairs).

*Substitute.*—Count Alexandre Khuen-Héderváry (First Counsellor of Legation).

INDIA.—The Right Hon. Lord Hardinge of Penshurst, K.G., G.C.B., G.C.S.I., G.C.M.G., G.C.I.E., G.C.V.O., I.S.O. (Privy Councillor, former Viceroy, former Ambassador). Major-General His Highness the Maharajah of Bikaner, G.C.S.I., G.C.I.E., G.C.V.O., G.B.E., K.C.B., A.D.C., LL.D. (Chancellor of the Chamber of Princes). Sir Muhammad Rafique (Member of the Council of State).

*Substitutes.*—Captain Maharaj Kumar of Bikaner, C.V.O. Sir Stanley Reed, K.B.E. Mr. John Campbell, C.S.I., O.B.E. Mr. P. J. Patrick (Secretary and Substitute Delegate).

IRISH FREE STATE.—Mr. Desmond Fitzgerald (Minister for Foreign Affairs). Mr. Patrick McGilligan (Minister for Commerce and Industry). Mr. John O'Byrne (Attorney-General).

*Substitutes.*—Mr. James McNall (High Commissioner in London). Marquis MacSwiney of Mashanaglass (Member of the Royal Irish Academy). Mr. John O'Sullivan (Member of Parliament, Doctor of Philosophy, Professor at the National University of Ireland). Mr. Michael Heffernan (Member of Parliament).

ITALY.—His Excellency Professor Antonio Salandra (former Prime Minister, Member of the Chamber of Deputies). His Excellency M. Vittorio Scialoja (former Minister for Foreign Affairs, Senator). His Excellency M. Carlo Schanzer (former Minister for Foreign Affairs, Vice-President of the Council of State, Senator).

*Substitutes.*—His Excellency Count Lelio Bonin-Langare (Ambassador and Senator). Dr. Alberto Pironti (Prefect and Senator). Brig. Gen. Alberto de Marinis Stendardo di Rigigliano (Senator, Representative of Italy on the Permanent Advisory Commission for Military, Naval and Air Questions, Member of the Temporary Mixed Commission for the Reduction of Armaments). His Excellency M. Giovanni Circolo (President of the Italian Red Cross, Senator). M. Stefano Cavazzoni (former Minister for Labour, Member of the Chamber of Deputies). Count Fulco Testi di Valminuta (Member of the Chamber of Deputies, former Under Secretary of State for Foreign Affairs). M. Paolo Bignami (Engineer, former Under Secretary of State, former Member of the Chamber of Deputies). Marquis Giuseppe Medici del Vescello (Envoy Extraordinary and Minister Plenipotentiary). Count Antonio Cippico (Scavator). Baron Gian Alberto Blanc (Member of the Chamber of Deputies). M. Massimo Pilotti.

JAPAN.—His Excellency Viscount K. Ishii (Ambassador to France, former Minister for Foreign Affairs, Japanese Representative on the Council of the League of Nations). His Excellency M. Minéitcirô Adatei (Ambassador to Belgium, Vice-President of the Institute of International Law). His Excellency M. M. Matsuda (Minister Plenipotentiary).

*Substitutes.*—M. Yotaro Sugimura (Counsellor of Embassy, Assistant Head of the Japanese Office accredited to the League of Nations). M. I. Tokugawa (First Secretary of Embassy in London). M. N. Ito (First Secretary of Legation at The Hague).

LATVIA.—His Excellency M. Louis Seya (Minister for Foreign Affairs). His Excellency Dr. Michel Walters (Envoy Extraordinary and Minister Plenipotentiary at Paris). M. Félix Gielcans (Member of the Chamber of Deputies, President of the Foreign Affairs Committee).

*Substitutes.*—M. Vilis Schumans (Director of the Political Department at the Ministry for Foreign Affairs). M. Jules Feldmans (Chief of the Section for the League of Nations at the Ministry for Foreign Affairs).

LIBERIA.—His Excellency Baron Rodolphe Auguste Lehmann (Envoy Extraordinary and Minister Plenipotentiary in France).

*Substitute.*—M. Nicolas Ooms (First Secretary of Legation).

LITHUANIA.—His Excellency M. Ernest Galvanauskas (former Prime Minister and Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary in London). His Excellency M. Wenceslas Sidzikauskas (Envoy Extraordinary and Minister Plenipotentiary at Berlin). M. Bronius K. Balutis (Director of the Political Section at the Ministry for Foreign Affairs).

LUXEMBURG.—M. Tony Lefort (Councillor of State, former Chargé d'Affaires in Switzerland).

*Substitute.*—M. Ch. Vermaire (Consul at Geneva).

NETHERLANDS.—His Excellency Jonkheer H. A. Van Karsbeek (Doctor of Law and Political Science, Minister for Foreign Affairs). His Excellency Jonkheer J. London (Doctor of Political Science, Envoy Extraordinary and Minister Plenipotentiary at Paris, former Minister for Foreign Affairs). Jonkheer W. J. M. van Eysinga (Doctor of Law and Political Science, Professor at the University of Leyden).

*Substitutes.*—Count F. A. C. Van Lynden Van Sandenburg (Doctor of Law and Political Science, Grand Chamberlain of Her Majesty the Queen of the Netherlands, former Government Commissioner in the Utrecht province, former Member of the Second Chamber of the States General). M. J. Limburg (Doctor of Law, President of the Order of Barristers at The Hague, former Member of the Second Chamber of the States General, Member of the Executive Committee of the States Provincial of Southern Holland). M. J. P. A. François (Doctor of Law and Political Science, Professor at the School of Nations Section at the Ministry for Foreign Affairs, Extraordinary Professor at the School for Higher Commercial Studies at Rotterdam).

NEW ZEALAND.—Col. the Hon. Sir James Allen (High Commissioner in London).

*Substitute and Secretary.*—Mr. C. Knowles.

NICARAGUA.—Dr. A. Sottile.

NORWAY.—Dr. Fridtjof Nansen (Professor at the University of Christiania). His Excellency M. Otto Albert Blehr (former Prime Minister). M. Christian Fredrik Michelet (Barrister, former Minister for Foreign Affairs).

*Substitutes.*—Dr. Christian L. Lange (Secretary-General of the Inter-Parliamentary Union). Dr. Mikael H. Lie (Professor of Law at the University of Christiania). Mlle. Kristine Elisabeth Bonnevie (Doctor of Philosophy, Professor at the University of Christiania).

PANAMA.—His Excellency M. Narciso Gurnay (Minister for Foreign Affairs). His Excellency M. Antonio Burgos (Minister in Italy and Switzerland).

PARAGUAY.—Dr. Ramon V. Caballero (Chargé d'Affaires in Paris).

PERSIA.—His Highness Prince Mirza Riza Khan Arfa-od-Dovleh (Ambassador, former Minister for Justice).

PERU.—Not represented.

POLAND.—His Excellency M. Aleksander Skrzynski (Doctor of Law, Minister for Foreign Affairs, Permanent Delegate to the League of Nations). His Excellency M. Henryk Strasburger (Minister Plenipotentiary, Commissioner-General of the Polish Republic at Danzig, former Under Secretary of State for Foreign Affairs). His Excellency M. August Zaleski (Envoy Extraordinary and Minister Plenipotentiary in Italy).

*Substitutes.*—His Excellency M. Jean de Modzelewski (Envoy Extraordinary and Minister Plenipotentiary at Berne). M. François Sokal (Polish Delegate on the Governing Body of the International Labour Office).

*Assistant Delegates.*—M. Léon Babiński (Counsellor of Legation, Legal Adviser to the Ministry for Foreign Affairs). M. Juliusz Łukasiewicz (Counsellor of Legation, Assistant Director of the Political Department at the Ministry for Foreign Affairs). M. Oscar Halecki (Professor at the University of Warsaw).

PORUTGAL.—His Excellency M. João Chagas (former Prime Minister, former Minister for Foreign Affairs). His Excellency Dr. Augusto de Vasconcellos (former Prime Minister, former Minister for Foreign Affairs, Senator). His Excellency General Alfredo Freire d'Andrade (former Minister for Foreign Affairs, former Governor of Mozambique).

*Substitute and Secretary-General.*—His Excellency M. Antonio Maria Bartholoméu Ferreira (Minister in Switzerland).

ROUMANIA.—His Excellency M. Jean G. Duea (Minister for Foreign Affairs). His Excellency M. Nicolae Titulesco (Envoy Extraordinary and Minister Plenipotentiary in London, Permanent Delegate to the League of Nations, former Finance Minister, Professor at the University of Bucharest) (afterwards First Delegate). His Excellency M. Nicolas Petrescu Comnène (Envoy Extraordinary and Minister Plenipotentiary in Switzerland, Permanent Delegate to the League of Nations) (afterwards Second Delegate).

*Substitutes.*—M. Sextil Puscariu (Chancellor of the Cluj University) (afterwards Third Delegate). Mlle. Hélène Vacaresco.

SALVADOR.—His Excellency Dr. J. Gustavo Guerrero (Envoy Extraordinary and Minister Plenipotentiary in France and Italy).

SAN DOMINGO.—M. Jacinto de Castro.

SERBS, CROATS AND SLOVENES, KINGDOM OF THE.—His Excellency Dr. Voislav Marinkovitch (Minister for Foreign Affairs). His Excellency Dr. Ilia Choumenkovitch (Minister for Commerce and Industry). His Excellency Dr. Kosta Koumanoudi (former Finance Minister, Member of the Chamber of Deputies) (afterwards First Delegate).

*Substitutes.*—Dr. Milica Novakovitch (Professor of the University of Belgrade) (afterwards Third Delegate). Dr. Ladislav Politch (Professor at the University of Zagreb) (afterwards Second Delegate). Dr. Leonidas Pitamic (Professor at the University Ljubljana).

SIAM.—His Highness Prince Chaïroon (Minister at Paris, Representative accredited to the Secretariat of the League of Nations). His Excellency Phya Sanpakitch Preecha (Minister at Rome).

SOUTH AFRICA.—The Hon. Sir Edgar Harris Walton, K.C.M.G. (High Commissioner in London). Sir Henry Strakosch, K.B.E. His Honour G. R. Hofmeyr, C.M.G. (Administrator of South-West Africa).

SPAIN.—His Excellency M. José Quiñones de León (Ambassador in Paris, Spanish Representative on the Council of the League of Nations). His Excellency M. Emilio de Palacios (Envoy Extraordinary and Minister Plenipotentiary at Berne).

*Substitutes.*—His Excellency M. Eduardo Cobián (former Under Secretary of State for Finance). M. Leopoldo Palacios (former Under Secretary of State for Finance, Professor at the University of Madrid).

*Substitute and Legal Adviser.*—M. Cristóbal Botella (Doctor of Law, Legal Adviser to the Spanish Embassy in Paris, President of the Franco-German Mixed Arbitral Tribunal).

**SWEDEN.**—His Excellency Baron Erik T. Marks von Wartemberg (Minister for Foreign Affairs). His Excellency M. K. Hjalmar Branting (former Prime Minister, former Minister for Foreign Affairs, Swedish Representative on the Council of the League of Nations). (Following the departure of the Foreign Minister M. Branting was First Delegate.) M. Jonas Eliel Loefgren (former Minister of Justice).

*Substitute.*—His Excellency Baron Sten Gustaf Fredrik Troil Ramel (Envoy Extraordinary and Minister Plenipotentiary at Berlin). (On the departure of the Prime Minister Baron Ramel acted as Delegate.) Mme. Anna Bugge-Wicksell (Master of Law). M. Oesten Undén (former Minister for Justice, Professor at the Upsal University).

**SWITZERLAND.**—His Excellency M. Giuseppe Motta (Federal Councillor, Head of the Federal Political Department). His Excellency M. Gustave Ador (former Federal Councillor, President of the International Red Cross Committee). Dr. Robert Forrer (Vice-President of the National Council).

*Substitute.*—Colonel B. Henri Bolli (Member of the Council of States). Professor Walter Burckhardt (Chancellor of the Berne University).

**URUGUAY.**—His Excellency M. Alberto Gnani (Envoy Extraordinary and Minister Plenipotentiary in Belgium and the Netherlands, Representative of Uruguay on the Council of the League of Nations). His Excellency M. Benjamin Fernandez y Medina (Envoy Extraordinary and Minister Plenipotentiary in Spain, former Under Secretary of State). His Excellency M. Enrique Bueno (Envoy Extraordinary and Minister Plenipotentiary in Switzerland, former Under Secretary of State and Financial Under Secretary, former Member of the Chamber of Deputies).

*Substitute.*—M. Manuel Herrero y Reissig (Secretary of Legation).

**VENEZUELA.**—His Excellency M. César Zanatta (former Senator, former Minister for the Interior, Envoy Extraordinary and Minister Plenipotentiary at Rome). His Excellency M. Diógenes Escalante (Envoy Extraordinary and Minister Plenipotentiary in London). His Excellency M. Caracciolo Parra-Pérez (Special Minister Plenipotentiary to the Swiss Federal Council, Chargé d'Affaires at Berne).

## APPENDIX II.

### Miscellaneous Documents.

#### ANNEX I.—*Financial Reconstruction of Hungary.*

STATEMENT BY MR. J. SMITH, COMMISSIONER-GENERAL FOR HUNGARY, TO THE SECOND COMMITTEE.

The financial reconstruction of Hungary is one of the steps necessary to re-establish normal economic conditions in Central Europe. Only a year ago, when the Assembly met, the League had not undertaken this important piece of construction work. During the session, however, the Council authorised the Financial Committee to prepare a plan if the Reparation Commission should extend to the League an invitation to co-operate in this work. To day the plan has been in operation for four months and I will describe briefly the events of the past year and report to you the progress which has been made.

Hungary, which is essentially an agricultural country and under normal conditions should produce enough to feed its own population and have an exportable surplus of food stocks and cattle, had hoped to recover from the effects of the war through its own efforts. Unfortunately the disorganisation caused by the war; political difficulties, both internal and external, following the armistice; the liability for reparations and the difficulty of reorganising a political and commercial establishment designed for a country three times its present size, presented obstacles which could not be overcome. Notwithstanding great exertions the budget became unbalanced and the Government was forced to have recourse to the printing press to meet its current expenses. This action was followed by the same consequences that have occurred in other countries under similar circumstances. Inflation produced a continually increasing depreciation of the currency until it was apparent that the only means of arresting it was a foreign loan to meet the deficit during the period necessary for a financial reorganisation. Before the meeting of the Assembly last year Hungary attempted to secure such a loan, but the existence of the liability to reparations which were a first charge on all the assets of the country made this impossible. Geneva afforded a neutral ground upon which negotiations could be carried on between all the countries interested, and as a result of these negotiations the Reparation Commission, within a month after the adjournment of the Assembly, invited the League to prepare a plan for the financial reconstruction of Hungary and indicated its willingness to postpone the lien of reparations to that of a reconstruction loan if a suitable plan were produced.

This plan was prepared by the Financial Committee of the League after a most careful examination of the situation, first by the members of the Secretariat and finally by a visit of the Committee to Budapest, where conferences were had with the members of the Government and with representatives of all varieties of opinion. The League has been fortunate enough to secure as members of this Financial Committee men of great experience and ability in financial and economic affairs in the different countries of Europe, whose services it would have been impossible to secure for any compensation, but who willingly gave them to the League and the cause of reconstruction. Securing the advice of these experienced men is one of the most valuable features of the entire plan, and I do not believe it could have been done except through the agency of the League.

Upon presentation of the plan the Reparation Commission adopted a resolution postponing the lien of reparations to the reconstruction loan, thereby affording an opportunity to Hungary to create a charge upon its assets and revenues prior to the claims for reparations and without which a loan would have been impossible. At the same time the Reparations Commission fixed the reparation payments for Hungary for 20 years at an amount not exceeding an average of 10,000,000 gold crowns a year, thus affording protection against the paralysing uncertainty of an undefined liability. This was followed by the execution in Geneva of two Protocols, the first sometimes called the Political Protocol, executed by Hungary, its neighbours and also Great Britain, France and Italy, in which all these countries undertook,

to respect the political independence, territorial integrity and sovereignty of Hungary; agreed not to seek any special or exclusive economic or financial advantages calculated to compromise that independence, and to abstain from any act contrary to the conventions for the economic and financial reconstruction of Hungary or which might affect the guarantees to be given to the bidders of the reconstruction loan and to appeal in case of difference to the Council of the League of Nations. Hungary on its part entered into a similar obligation and executed a second Protocol accepting and agreeing to carry out the reconstruction plan.

One more step was necessary before Hungary could create a clean first charge on its assets and revenues, which was an indispensable feature of the loan. This was the postponement of the prior charge of the relief bonds given by Hungary to the eight countries which had furnished it assistance. The Hungarian Government was able to secure the subordination of these relief bonds to the charges created in favour of the reconstruction loan, and I desire to thank those countries for this essential act of co-operation in the reconstruction plan.

The plan itself follows closely the precedent of the Austrian plan with modifications and improvements which are the natural result of the Austrian experience. It provides for the stoppage of inflation through the creation of a new National Bank of Issue independent of the Government and of political control with the exclusive right to issue bank notes, prohibited from making advances to the Government or other public bodies except against adequate security and operating under statutes approved by eminent bankers, requiring adequate cover for currency notes and based upon sound and proved banking principles.

It provides for the ultimate balancing of the budget by the adoption of budgets covering the next two years, the deficit during the period to be met from the proceeds of a loan. If the budgets are adhered to, Hungary should be self-supporting at the end of two years. It provides security for the loan through the creation of a clean first charge upon some of the most productive revenues, with provision for the inclusion of other revenues if necessary. Further security is afforded by conferring upon the Commissioner-General the control of the proceeds of the loan and of the revenues pledged to secure it, which control must be exercised to carry out the programme of reform, and, in the event that the budget programme is not adhered to, the Commissioner-General is entrusted with very great powers to ensure the due execution of the plan.

The Protocols were executed in March and in a little more than a month thereafter the Hungarian Government had adopted laws approved by a delegation of the League which visited Budapest for the purpose, granting full powers during the entire period of reconstruction. A fortnight thereafter I arrived in Budapest, and on 1st May the operation of the reconstruction plan had commenced.

The first and most necessary step was the issue of the reconstruction loan, the negotiations for which were undertaken by the Hungarian Government, whose delegation received untiring support from the members of the Financial Committee. The Austrian loan had been guaranteed by various Governments. The Hungarian loan was not so guaranteed, but was dependent on the resources of Hungary and the soundness of the plan adopted by the League. Doubts had been expressed as to whether bankers would be willing to undertake the issue of the Hungarian loan without guarantees similar to those obtained in the case of Austria. Happily those doubts proved unfounded and the loan was issued in July in eight different countries—Great Britain, Italy, Switzerland, Sweden, Czechoslovakia, Holland, Hungary and the United States of America—and was entirely successful. This result is a gratifying endorsement of the work of the Financial Committee and the soundness of its judgment, and has provided the Hungarian Government with an effective amount of 250,000,000 gold crowns to cover the budget deficits up to 30th June 1926.

To meet the expenses of the Government pending the issue of the loan, the Hungarian Government, by internal and external loans which involved great sacrifices on the part of the Hungarian people, raised a very large amount of money.

The National Bank has been opened with a capital subscribed almost entirely within Hungary and inflation definitely ended on 24th June. As a result the Hungarian currency has been stabilised, one of the most important steps in the creation of confidence in the stability of conditions which will enable those within and without Hungary to carry on with confidence the commercial and financial transactions which are necessary to the life of the community.

A striking illustration of the return of confidence and its results is provided by the amount of foreign exchange in possession of the new bank and in that of its predecessor, the Devisenzentrale. All exchange operations were by law carried on through the official bank only, which in consequence was obliged to be in a position to supply all demands for foreign exchange. Before the opening of the new bank the stock of exchange had sunk as low as 1 million Swiss francs, while it has now risen to over 90 millions.

It was a part of the plan to provide funds to meet the deficit of the Hungarian Treasury for its financial year which ended on 30th June last. It is gratifying to note that this deficit has been covered with a substantial saving from the amounts provided for this purpose, which should prove a valuable reserve for the future.

Certain of the revenues of the State have been pledged as specific security in the first instance for the service of the reconstruction loan—those from customs duties, the sugar tax, salt monopoly and the tobacco monopoly. The yield from these is in excess of the estimates of the League. For the last two months this yield has been at a rate more than double these estimates, which were purposely made conservative, and three times more than necessary to meet the service of the loan.

While it is too early to obtain estimates of value of the yield of the direct taxes, those from the indirect taxes, which are not included in the pledged revenues, have been in excess of the estimates, and an examination of the financial situation has convinced me that the revenues estimated by the League will be attained and perhaps exceeded and that they are well within the capacity of the Hungarian people.

The adverse trade balance of Hungary, which is always greatest during the first half of the calendar year, is already 40 per cent. lower than that of 1923, due very largely to increased exports, and I hope that the present year will end with a balance of trade which will be fully met from invisible exports.

The Hungarian Government has commenced the administrative reforms by the adoption of a great number of the decrees necessary to ensure the application of the reconstruction laws and by the discharge of a considerable number of superfluous State employees.

All these steps—the preparation of the plan, the limitation of reparations; the postponement of the prior charges of reparations and relief bonds; the issue of the loan; the passage of the necessary laws; the installation of control; the stoppage of inflation and the stabilisation of the currency—have occurred since the last meeting of the Assembly. They constitute the end of the first stage of Hungarian reconstruction. Through the work of the League, the Hungarian people have now been afforded an opportunity of putting their financial and economic affairs upon a permanently sound basis. Through the faithful co-operation of the Hungarian Government and people, which have given the League and the Commissioner-General every support that could be asked for, we have now entered upon the second stage of the reconstruction plan.

In this stage one of the most important factors for its successful execution will be the limitation of the expenditures of the Government to the figures established in the reconstruction plan. Another important factor will be the resumption of the exchange of goods through the ordinary and normal carrying on of commerce, which has been interfered with in the past by vexatious and artificial obstacles to trade, some of which were a necessary protection during the crisis created by the depreciation of the currency. Many of these have now been removed, the prohibitions on exportation, including that on the exportation of foreign money, have been abolished, a beginning has been made with the modification of import restrictions, and I hope that commercial treaties can be executed with the neighbouring and with other countries, which, while affording reasonable protection against a large adverse balance of trade, will result in a more normal flow of ordinary commerce and benefit all concerned.

I undertook my duties without having had anything to do with the preparation of the reconstruction plan and with only a slight knowledge of the events which had brought it about. It may be of interest to the Committee to know that I have been especially impressed with two features of the plan. One is the fact that it is a product of international co-operation which I am quite convinced would never have been possible without the active help of the League and the opportunities afforded by it for conducting international negotiations. Geneva provided a place where discussions could take place by word of mouth without loss of prestige and without the danger of creating political entanglements at home, something which could never be done through written diplomatic communications. The League furnished the ground and means for the many countries interested to discuss the matter freely and frankly, and such discussions usually result in some sort of an agreement.

The other fact which has impressed me is that through the assistance and co-operation of the League the plan for financial reconstruction was prepared, the work of very eminent men, non-political in character, impartial and based upon sound principles of economics and finance, and the League has performed a very valuable service in demonstrating that plans of such a character can be prepared without the political features which would inevitably enter into such plans if they were dependent solely upon negotiations between political entities. I am convinced that the plan for the financial reconstruction of Hungary presents a striking illustration of international co-operation which could not have been achieved without the efforts of and the facilities afforded by the League.

I must take this occasion to tell the Committee that I appreciate fully the honour of being entrusted by the Council with the execution of this plan and to assure the Committee that I am fully conscious of the duties and responsibilities connected with it.

The first stage has been successfully passed and I am confident that with the support and co-operation of the Hungarian Government and people, which I am sure will be given, this great work will be carried to a successful conclusion.

## ANNEX II.—*Draft Convention for the Control of the International Trade in Arms, Munitions and Implements of War.*

### PREAMBLE.

Whereas the Convention of Saint Germain signed by the High Contracting Parties therein mentioned has not entered into full force and effect;

Whereas it is necessary to exercise a general supervision over the international trade in arms, munitions and implements of war, with the object of securing the fullest possible publicity in regard to such trade;

Whereas the existing treaties and conventions, and particularly the Brussels Act of 2nd July 1890, regulating the traffic in arms and munitions in certain regions, no longer meet present conditions;

Whereas a special supervision of the maritime zone adjacent to certain countries is necessary to ensure the efficacy of the measures adopted by the various Governments both as regards the import of arms, ammunition and implements of war into these countries and their export from their own territory;

Have appointed:

### CHAPTER I.—DEFINITION OF THE ARMS, MUNITIONS AND IMPLEMENTS OF WAR THE INTERNATIONAL TRADE OF WHICH IS TO BE CONTROLLED.

#### Article 1.

This Convention applies to the following arms, munitions and implements of war:—

#### CATEGORY I.

##### 1. ARMS AND MUNITIONS, ASSEMBLED OR COMBINED PARTS, EXCLUSIVELY DESIGNED FOR LAND, SEA OR AIRING WARFARE, WHATEVER THEIR MODE OF EMPLOYMENT.

(a) All arms and ammunition which are or shall be comprised in the equipment of the armed forces of the different States, including:—

Pistols and revolvers, automatic or self-loading, and developments of the same, designed for single-handed use or fired from the shoulder, of a calibre greater than 6·5 mm. and length of barrel more than 10 cm.; rifles, muskets, carbines, machine-guns, interrupter gears, mountings for machine-guns, aerial gun sights, infantry apparatus for the discharge of projectiles; flame throwers, cannon, long or short, bomb throwers and mortars of all kinds and their carriages, mountings, recuperators, accessories for mounting and sighting apparatus, apparatus for the discharge of all kinds of projectiles, bombs, torpedoes, depth charges, &c.; grenades, bombs, land mines, submarine mines fixed or floating, torpedoes, depth charges; projectiles of all kinds; ammunition and appliances for the above arms and apparatus; bayonets, swords and bayes.

(b) All arms and ammunition which, after having been employed in the services of the different States, are no longer part of their equipment but remain capable of being utilised for military purposes to the exclusion of any other utilisation.

**2. IMPLEMENTS OF WAR HERAFTER ENUMERATED AND COMPONENT PARTS WHICH ARE CAPABLE OF BEING UTILISED ONLY IN THE MANUFACTURE OF THE SAID MATERIAL.**

Ships of all kinds designed exclusively for war, including submarines and submersibles; airships, aeroplanes and seaplanes designed exclusively for war; tanks; armoured cars.

**CATEGORY II.**

**ARMS AND MUNITIONS, ASSEMBLED OR COMPONENT PARTS, CAPABLE OF USE BOTH FOR MILITARY AND OTHER PURPOSES.**

(1) Fire-arms, designed or adapted for non-military purposes, that will fire cartridges that can be fired from fire-arms in Category I. (2) All other rifled fire-arms, firing from the shoulder, of a calibre of 6 mm. or above, not included in Category I. (3) Ammunition for the arms enumerated above. (4) Gunpowder and explosives.

**CATEGORY III.**

**ARMS AND MUNITIONS HAVING NO MILITARY VALUE.**

All the arms and munitions other than those defined in Categories I and II, such as:—

Rifled weapons of a calibre of less than 6 mm. designed for firing from the shoulder; revolvers and automatic pistols of a calibre of 6·5 mm. or less and length of barrel of 10 cm. or less; smooth-bore shot guns; double-barrelled shot-guns of which one barrel is rifled, the other smooth-bore; single-shot pistols; fire-arms firing rimfire ammunition; muzzle-loading fire-arms; life-saving rockets; guns for whaling or other fisheries; signal and saluting guns; humane cattle-killers of all sorts; ammunition for the above.

**CHAPTER II.—EXPORT AND TRANSIT OF ARMS, MUNITIONS AND IMPLEMENTS OF WAR.**

*Article 2.*

The High Contracting Parties undertake not to export themselves, and to prohibit the export, of arms, munitions and other implements of war enumerated in Category I, except on the conditions hereinafter mentioned.

*Article 3.*

Notwithstanding this prohibition, the High Contracting Parties may grant in respect of arms, munitions and implements of war whose use is not prohibited by international law, licences for the export of arms, munitions and implements of war enumerated in Category I, in the following conditions:—

- (1) Licences are not to be granted except for a direct supply to a Government recognised as such by the Government of the exporting country.
- (2) The Government acquiring the consignment must act through a duly accredited representative.
- (3) Such representative must produce a written authority from the Government he represents for the acquisition of each consignment, which authority must state that the consignment is required for delivery to that Government for its own use.
- (4) The form in which this licence shall be given shall, so far as practicable, be that given as an appendix to the present Convention.
- Each licence must contain a description sufficient for the identification of the arms, munitions and implements of war to which it relates and the names of the exporter and the acquiring Government, ports of embarkation and disembarkation, means of transport, intended route and destination.
- (5) A separate licence shall be required for each separate consignment which crosses the frontier of the exporting country, whether by land, water or air, and shall accompany each separate consignment.
- (6) A return of the licences granted shall be sent quarterly to the Central International Office referred to in Article 8 of the present Convention by the issuing Governments; importing Governments, when High Contracting Parties, shall also forward quarterly to the Central International Office a return of the same licences enclosing particulars of the heading under which the imported goods will appear in their import statistics.

*Article 4.*

Further, licences for the export to private individuals of component parts covered by Category I may be granted on the following conditions:—

The said component parts must be exported direct to a recognised manufacturer of war material, duly authorised by his own Government, on a declaration from him to the effect that the said component parts are required by him.

The Government which grants the licence and the Government of the importer's country shall take all adequate precautions to ensure that the said component parts are sent direct to their destination.

The licences granted in the terms of the present article shall, so far as practicable, be drafted according to the form annexed to the present Convention, and shall conform to the provisions of the present Convention, and particularly to those of Article 8.

*Article 5.*

Without prejudice to any obligations to which they may have subscribed under international conventions dealing with transit, the High Contracting Parties, when they have reason to believe that any consignment of arms, munitions or implements of war in transit through their territory does not conform to the provisions of the present Convention, undertake to investigate the circumstances and if necessary to prohibit the transit.

*Article 6.*

Without prejudice to the provisions of Article 7, arms and munitions in Categories II and III may, if the exporter's country so desires, be exported without licence. Provided, nevertheless, that in the case of arms and munitions of Category II the High Contracting Parties hereby undertake to determine from the size, destination and other circumstances of each consignment whether these arms and munitions are intended for war purposes. If such is the case, the High Contracting Parties undertake that the shipments shall become subject to Articles 2 to 5.

*Article 7.*

The High Contracting Parties further undertake to prohibit the export of arms, munitions and implements of war enumerated in Article 1, to the maritime or territorial zones specified in Article 9.

Nevertheless, the High Contracting Parties may grant export licences notwithstanding this prohibition, provided that they conform to the provisions of Articles 3 to 5. The competent authorities must satisfy themselves, before issuing the licences, that the arms, munitions or implements of war are not intended for export to any destination or for disposal in any way contrary to the provisions of this Convention.

#### *Article 8.*

A Central International Office shall be established by the Council of the League of Nations for the purpose of collecting, preserving and publishing documents of all kinds exchanged by the High Contracting Parties with regard to the trade in and the distribution of arms, munitions and implements of war, as well as the text of all laws, orders and regulations made for the carrying out of the present Convention.

Each of the High Contracting Parties shall publish an annual return of the export licences which each may have granted in respect of arms, munitions and implements of war in pursuance of the present Convention, mentioning the quantities and destination of the arms, munitions and implements of war to which the export licences refer. A copy of this return shall be sent to the Central International Office.

The High Contracting Parties further undertake to forward to the Central International Office all information which they will be in a position to provide relating to consignments under contracts entered into before the coming into force of the present Convention.

### CHAPTER III.—IMPORT OF ARMS, MUNITIONS AND IMPLEMENTS OF WAR. PROHIBITED ZONES.

#### *Article 9.*

The High Contracting Parties undertake, each as far as the territory under its jurisdiction is concerned, to prohibit the importation of arms, munitions and implements of war into the following territorial zones, and also to prevent their exportation to, importation and transportation in the territorial zones as well as in the maritime zone defined below.

\* \* \* \* \*

Special licences for the import of arms, munitions and implements of war into the zones defined above may be issued. In the African zone they shall be subject to the regulations specified in Articles 10 and 11 or to any local regulations of a stricter nature which may be in force.

In the other zones specified in the present Article, these licences shall be subject to similar regulations put into effect by the Governments exercising authority there.

### CHAPTER IV.—SUPERVISION ON LAND.

#### *Article 10.*

Arms, munitions and implements of war exported under licence into the prohibited zones shall be admitted only at ports, or other places of entry, designated for this purpose by the authorities of the State, Colony, Protectorate or territory under mandate concerned.

Such arms, munitions and implements of war must be deposited by the importer at his own risk and expense in a public warehouse under the exclusive custody and permanent control of the Authority and of its agents, of whom one at least must be a civil official or a military or naval officer. No arms, munitions or implements of war shall be deposited or withdrawn without the previous authorisation of the administration of the State, Colony, Protectorate or territory under mandate, unless the arms, munitions and implements of war to be deposited or withdrawn are intended for the forces of the Government or the defence of the national territory.

The withdrawal of arms, munitions or implements of war deposited in those warehouses shall be authorised only in the following cases:—

- (1) For despatch to places designated by the Government where the inhabitants are allowed to possess arms, under the control and responsibility of the local authorities, for the purpose of defence against robbers or rebels.
- (2) For despatch to places designated by the Government as warehouses and placed under the supervision and responsibility of the local authorities.
- (3) For individuals who can show that they require them for their legitimate personal use.

#### *Article 11.*

In the prohibited zones specified in Article 9, trade in arms, munitions and implements of war shall be placed under the control of officials of the Government and shall be subject to the following regulations:—

- (1) No person may keep a warehouse for arms, munitions or implements of war without a licence.
- (2) Any person licensed to keep a warehouse for arms, munitions or implements of war must reserve for that special purpose enclosed premises, having only one entry, provided with two locks, one of which can be opened only by the officers of the Government.

The person in charge of a warehouse shall be responsible for all arms, munitions or implements of war deposited therein and must account for them on demand. For this purpose all deposits or withdrawals shall be entered in a special register, numbered and initialled. Each entry shall be supported by references to the official documents authorising such deposits or withdrawals.

- (3) No transport of arms, munitions or implements of war shall take place without a special licence.
- (4) No withdrawal from a private warehouse shall take place except under licence issued by the local authority on an application stating the purpose for which the arms or ammunition are required, and supported by a licence to carry arms or by a special permit for the purchase of ammunition. Every arm shall be registered and stamped; the authority in charge of the control shall enter on the licence to carry arms the mark stamped on the weapon.
- (5) No one shall without authority transfer to another person, either by gift or for any consideration any weapon or ammunition which he is licensed to possess.

*Article 12.*

In the prohibited zones specified in Article 9, the manufacture and assembling of arms, munitions or implements of war shall be prohibited, except at arsenals established by the local Government or, in the case of countries placed under tutelage, at arsenals established by the local Government, under the control of the mandatory Power, for the defence of its territory or for the maintenance of public order.

No arms shall be repaired except at arsenals or establishments licensed by the local Government for this purpose. No such licence shall be granted without guarantees for the observance of the rules of the present Convention.

*Article 13.*

Within the prohibited zones specified in Article 9, a State which is compelled to utilise the territory of a contiguous State for the importation of arms, munitions or implements of war, whether complete or in parts, or of material or of articles intended for armament, shall be authorised on request to have them transported across the territory of such State.

It shall, however, when making any such request furnish guarantees that the said articles are required for the needs of its own Government, and will at no time be sold, transferred or delivered for private use or used in any way contrary to the interests of the High Contracting Parties.

Any violation of these conditions shall be formally established in the following manner —

(a) If the importing State is a sovereign independent Power, the proof of the violation shall be advanced by one or more of the representatives accredited to it of contiguous States among the High Contracting Parties. After the representatives of the other contiguous States have, if necessary, been informed, a joint enquiry into the facts by all these representatives will be opened, and, if need be, the importing State will be called upon to furnish explanations. If the gravity of the case should so require, and if the explanations of the importing State are considered unsatisfactory, the representatives will jointly notify the importing State that all transit licences in its favour be suspended and that all future requests will be refused until it shall have furnished new and satisfactory guarantees.

The forms and conditions of the guarantees provided by the present Article shall be agreed upon previously by the representatives of the contiguous States among the High Contracting Parties. These representatives shall communicate to each other, as and when issued, the transit licences granted by the competent authorities.

(b) If the importing State has been placed under the mandatory system established by the League of Nations, the proof of the violation shall be furnished by one of the High Contracting Parties or on its own initiative by the mandatory Power. The latter shall then notify or demand, as the case may be, the suspension and future refusal of all transit licences.

In cases where a violation has been duly proved, no further transit licence shall be granted to the offending State without the previous consent of the Council of the League of Nations.

If any proceedings on the part of the importing State or its disturbed condition should threaten the public order of one of the contiguous States signatories of the present Convention, the importation in transit of arms, munitions or implements of war, material and articles intended for armament shall be refused to the importing State by all the contiguous States until order has been restored.

## CHAPTER V.—MARITIME SUPERVISION.

*Article 14.*

Subject to any contrary provisions in existing special agreements, or in future agreements, provided that in all cases such agreements otherwise comply with the provisions of the present Convention, the sovereign State or mandatory Power shall carry out the supervision and police measures within territorial waters in the prohibited zones specified in Article 9.

*Article 15.*

Within the prohibited zones specified in Article 9, no native vessel of less than 500 tons (net tonnage) shall be allowed to ship, discharge or tranship arms, munitions or implements of war.

A ship shall be deemed to be native if she is either owned by a native, or fitted out, or commanded by a native, or if more than half of the crew are natives of the countries included in the prohibited zones specified in Article 9.

This provision does not apply to lighters or buoys, nor to vessels which are engaged exclusively in the coasting trade between different ports of the same State, Colony, Protectorate or territory under mandate, where warehouses are situated.

All cargoes of arms, munitions or implements of war shipped on the vessels specified in the preceding paragraph must obtain a special licence from the territorial authority, and all arms, munitions, and implements of war so shipped shall be subject to the provisions of the present Convention.

This licence shall contain all details necessary to establish the nature and quantity of the items of the shipment, the vessel on which the shipment is to be loaded, the name of the ultimate consignee and the ports of loading and discharge. It shall also be specified thereon that the licence has been issued in conformity with the regulations of the present Convention.

The provisions of this Article do not apply —

- (a) To arms, munitions and implements of war conveyed on behalf of a Government either under that Government's authorisation or accompanied by a duly qualified officer.
- (b) To arms and munitions in the possession of persons provided with a licence to carry arms, provided such arms are for the personal use of the bearer and are accurately described on his licence.

*Article 16.*

To prevent all illicit conveyance of arms, munitions and implements of war within the prohibited zones defined in Article 9, native vessels of less than 500 tons (net tonnage) —

- (a) if not exclusively engaged in the coasting trade between different ports of the same State, Colony, Protectorate or territory under mandate, or
- (b) if not engaged in carrying on behalf of a Government as permitted by Article 15, para (a), and proceeding to or from any point within the said zones,

and every vessel of the same class be required to specify the quantities and nature of the goods she is carrying.

(2) The Power shall not apply to vessels only partially decked or to vessels which do not fly any flag within territorial waters.

#### Art. 17

(1) Any vessel flying the flag of the High Contracting Parties, within the prohibited zones referred to in Article 16, shall be liable to a fine of 500 tons net tonnage as defined in Article 16, unless she has a valid permit.

(2) Any vessel which has a valid permit shall be liable to a fine of 200 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(3) Any vessel which has a valid permit shall be liable to a fine of 100 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(4) Any vessel which has a valid permit shall be liable to a fine of 50 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(5) Any vessel which has a valid permit shall be liable to a fine of 25 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(6) Any vessel which has a valid permit shall be liable to a fine of 10 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(7) Any vessel which has a valid permit shall be liable to a fine of 5 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(8) Any vessel which has a valid permit shall be liable to a fine of 2 tons net tonnage if they claim to fly or a company duly authorized by the Power.

#### Art. 18

(1) All vessels which are required to fly the flag, the number of the specified in Article 16, shall be liable to a fine of 500 tons net tonnage unless otherwise determined by the competent authority of the Power.

(2) Any vessel which has a valid permit shall be liable to a fine of 200 tons net tonnage.

(3) Any vessel which has a valid permit shall be liable to a fine of 100 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(4) Any vessel which has a valid permit shall be liable to a fine of 50 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(5) Any vessel which has a valid permit shall be liable to a fine of 25 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(6) Any vessel which has a valid permit shall be liable to a fine of 10 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(7) Any vessel which has a valid permit shall be liable to a fine of 5 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(8) Any vessel which has a valid permit shall be liable to a fine of 2 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(9) Any vessel which has a valid permit shall be liable to a fine of 1 ton net tonnage if they claim to fly or a company duly authorized by the Power.

(10) Any vessel which has a valid permit shall be liable to a fine of 500 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(11) Any vessel which has a valid permit shall be liable to a fine of 200 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(12) Any vessel which has a valid permit shall be liable to a fine of 100 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(13) Any vessel which has a valid permit shall be liable to a fine of 50 tons net tonnage if they claim to fly or a company duly authorized by the Power.

(14) In the cases referred to in para. I of this Article, if it is ascertained, as a result of the visit made on board the native vessel, that when she flew no flag, it was also not entitled to fly the flag of a recognized State, the native vessel shall, unless the innocent nature of her cargo can be established to the satisfaction of the commanding officer of the warship, be conducted to the nearest point in the zone where there is a competent authority of the Power to which the warship which effected the capture belonged, and shall be handed over to such authority.

If it should be established that the vessel was engaged in the illicit conveyance of arms, munitions and implements of war, the vessel and all cargo carried in addition to the arms, munitions and implements of war shall be seized by such authority and disposed of according to its own laws—the destruction of the illicit cargo of arms, munitions and implements of war may be ordered according to the same laws.

#### *Article 19*

The authority before whom the suspected vessel has been brought shall institute a full enquiry in accordance with the laws of his country in the presence of an officer of the detaining warship.

If, however, owing to the duties upon which the warship is engaged, it is not practicable for an officer of this warship to attend this enquiry, an affidavit sworn by the commanding officer of the warship shall be accepted by the authority holding the enquiry in place of the verbal evidence of an officer of the warship.

If it is proved at this enquiry that the flag has been illegally flown, but that the vessel is entitled to fly the flag of a recognised State, she shall, if that State is one of the High Contracting Parties, be handed over to the nearest authority of that State and in all other cases shall be disposed of by agreement between the State responsible for her detention and the State whose flag she is entitled to fly, and, pending such agreement, shall remain in the custody of the authorities of the nationality of the detaining warship.

If it should be established that the use of the flag by the detained vessel was correct, but that the vessel was engaged in the illicit conveyance of arms, munitions and implements of war, those responsible shall be brought before the courts of the State under whose flag the vessel sailed. The vessel herself and her cargo shall remain in charge of the authority directing the enquiry. The illicit cargo of arms, munitions or implements of war may be destroyed in accordance with the laws and regulations drawn up for the purpose.

#### *Article 20*

The High Contracting Parties agree to communicate to the Central International Office specimen forms of the documents mentioned in Articles 15, 16, 17.

#### *Article 21*

Any illicit conveyance or attempted conveyance legally established against the captain or owner of a vessel authorised to fly the flag of one of the signatory Powers, or holding the licence provided for in Article 15, shall entail the immediate withdrawal of the said authorisation or licence.

The High Contracting Parties will take the necessary measures to ensure that their territorial authorities or their consuls shall send to the Central International Office certified copies of all authorisations granted under this Convention to fly their flag as soon as such authorisation shall have been granted, as well as notice of withdrawal of any such authorisation. They also undertake to communicate to the said office copies of the licences provided for under Article 15.

#### *Article 22*

The commanding officer of a warship who may have detained a vessel flying a foreign flag shall in all cases make a report thereon to his Government, stating the grounds on which he acted.

An extract from this report, together with a copy of the *procès-verbal*, drawn up by the officer, warrant officer, petty or non-commissioned officer sent on board the vessel detained shall be sent as soon as possible to the Central International Office and at the same time to the Government whose flag the detained vessel was flying.

#### *Article 23*

If the authority entrusted with the enquiry decides that the detention and division of the vessel or the measures imposed upon her were negligent, he shall fix the amount of the compensation due. If the examining officer, or the authorities to whom he is subject, do not accept the decision or contest the amount of the compensation awarded, the dispute shall be submitted to a court of arbitration consisting of one arbitrator appointed by the Government whose flag the vessel was flying, one appointed by the Government of the capturing officer, and an umpire chosen by the two arbitrators thus appointed. The two arbitrators shall be chosen, as far as possible, from among the diplomatic, consular or judicial officers of the High Contracting Parties. These appointments must be made with the least possible delay, and natives in the pay of the High Contracting Parties shall in no case be appointed. Any compensation awarded shall be paid to the person concerned within six months at most from the date of the award.

The decision shall be communicated to the Central International Office.

### CHAPTER VI.—GENERAL PROVISIONS.

#### *Article 24*

The High Contracting Parties who exercise authority over territories within the prohibited zones specified in Article 9 agree to take, so far as each may be concerned, the measures required for the enforcement of the present Convention, and in particular for the prosecution and repression of offences against the provisions contained therein and to appoint the necessary territorial and consular officers or special representatives competent for this purpose.

They shall communicate these measures to the Central International Office and shall inform them of the competent authorities referred to in the preceding Article.

#### *Article 25*

In time of war, Articles 2, 3, 4, 5 and 6 shall be considered as suspended from operation until the restoration of peace so far as concerns any export and transit of arms, munitions or implements of war to or on behalf of any of the belligerents recognised as such by the exporting country and the countries of transit, provided such recognition has been previously communicated to the other High Contracting Parties.

*Article 26.*

Any Government may, on signing or adhering to the present Convention, declare that it accepts its provisions partially or conditionally, provided that the High Contracting Parties consent and that it does not thereby affect the effectiveness of the supervision of the trade in arms, munitions and implements of war.

Nevertheless, the Convention shall only apply to Powers availing themselves of the option provided in the previous paragraph if within the period of one year from the notification by the French Government of the deposit of their ratification (or adherence), partial or conditional, no opposition to such ratification (or adherence) has been raised by any of the Contracting Parties.

*Article 27.*

All the provisions of former general International Conventions relating to the matters dealt with in the present Convention, including the Convention for the Control of the Trade in Arms and Ammunition and the Protocol signed at Saint Germain-en-Laye 10th September 1919, shall be considered as abrogated in so far as they are binding between the Powers which are Parties to the present Convention.

The present Convention shall in no way affect the rights and obligations which may arise out of the provisions either of the Covenant of the League of Nations or of the Treaties of Peace signed in 1919 and 1920 at Versailles, Neuilly, Saint Germain and Trianon or of the Treaty limiting Naval Armaments signed at Washington on 6th February 1922, and the provisions of Agreements registered with the League of Nations and published by the League up to the date of the coming into force of the present Convention, so far as the Powers which are signatories of or benefit by the said Treaties or Agreements are concerned.

*Article 28.*

The Council of the League of Nations shall cause to be published an annual report on the operation of the present Convention.

This report shall be presented to the Assembly of the League of Nations.

*Article 29.*

The present Convention, of which the French and English texts shall both be authentic, is subject to ratification. It shall bear to-day's date and shall be open for signature by the Powers until ..... [date].

Each Power shall address its ratification to the French Government, which shall at once notify the deposit of ratification to each of the other signatory Powers.

The instruments of ratification shall then remain deposited in the archives of the French Government.

*Article 30.*

The High Contracting Parties will use their best endeavours to secure the accession to the present Convention of the other States, whether Members of the League or not. On and after ..... [date] the present Convention may be acceded to by any Power. Accession shall be effected by an instrument communicated to the French Government, which shall at once notify such deposit to all Powers which are signatories of or accede to the Convention.

The instruments of accession shall remain deposited in the archives of the French Government.

*Article 31.*

Disputes between the Parties relating to the interpretation or application of this Convention shall, if they cannot be settled by direct negotiation, be referred for decision to the Permanent Court of International Justice. In case either or both of the parties to such a dispute should not be parties to the Protocol of Signature of the Permanent Court of International Justice, the dispute shall be referred, at the choice of the Parties, either to the Permanent Court of International Justice or to a court of arbitration.

*Article 32.*

The present Convention will not come into force until it has been ratified by 12 Powers, among whom shall be the following: Belgium, the United States of America, France, Great Britain, Italy, Japan and Russia.

The date of its coming into force shall be the ..... day after the receipt by the French Government of the 12th ratification. Thereafter, the present Convention will take effect in the case of each Party ..... days after the receipt of its ratification or accession.

*Article 33.*

The present Convention may be denounced by any Party thereto after the expiration of 10 years, from the date when it came into force in respect of that Party. Denunciation shall be effected by notification in writing addressed to the French Government, which shall forthwith transmit copies of such notification to the other Parties, informing them of the date on which it was received.

A denunciation shall take effect two years after the date on which the notification thereof was received by the French Government, and shall operate only in respect of the notifying State.

*Article 34.*

The High Contracting Parties agree that, at the conclusion of a period of five years, the present Convention shall, in the light of the experience then gained, be subject to revision upon the request of a third of the said High Contracting Parties.

**ANNEX III.—Report to the Assembly by the Supervisory Commission on Regulations of the Staff Provident Fund.**

By its resolution of 28th September 1923, the Assembly approved the recommendations made by the Supervisory Commission for the establishment of a Provident Fund for the officials of the League, and instructed the Commission to draw up the final detailed regulations of the scheme. It decided that the scheme should be put into operation as from 1st January 1924. The liabilities to be imposed on the budget were expressly limited to 5 per cent. of the total salaries of the officials affected. The sums necessary for the payment of the League's contributions in that year were voted in the 1924 budget.

In discharge of the mission entrusted to it by the Assembly, the Supervisory Commission has devoted several meetings to determining the details of the scheme. It has drawn up the annexed Regulations, which it now submits to the Assembly, and has requested the competent officials to give effect thereto. Contributions by officials and by the League became payable on 1st January last, and were made subject to such adjustments as might be necessary when the Regulations assumed their final form. The resulting funds were placed on deposit at interest by the Secretary-General pending the complete establishment of the appropriate machinery for management and investment. The scheme has accordingly been put into operation in accordance with the wishes of the Assembly as from the date fixed by the latter.

In preparing the annexed Regulations, the Supervisory Commission has had continued assistance from the experts who advised it when it formulated the proposals made to the last Assembly, Commandatore Toja and Sir Alfred Watson, or its deputy, Mr. Henry. The Commission desires to express its sense of the debt which the League owes to these gentlemen for their ungrudging help. For the form which the Regulations have finally assumed, the Commission is, of course, alone responsible.

The scheme which the Assembly has approved, as best adapted to the somewhat peculiar circumstances of the case, is one for the accumulation on behalf of the participating officials of sums obtained by monthly deductions of 5 per cent. from their salaries and the simultaneous contribution of equal amounts by the League. The money thus obtained will be administered and invested, independently of other League funds, by a Board of Management of seven members appointed by the Council, two of whom will represent the participating officials. The Board will be assisted in its financial tasks by the advice of an Investments Advisory Committee composed of three experts appointed by the Council. There is expressly imposed on the Board the duty of maintaining the solvency of the scheme, and protecting the League against any ultimate liability, by the taking of appropriate measures to constitute a reserve and deal with any fall in the market value of the invested securities. On leaving the service, the official will normally receive the sum to the credit of his account in the Fund, i.e., the contributions which he has made and the sums which the League has paid into his account, with such interest as it has been possible to credit to him. He will not, however, obtain full benefit from the League's contributions unless he has given at least seven years' service, and he will obtain no benefit from the League contributions until he has given three years' service. In certain other circumstances, as, for instance, in the case of dismissal for misconduct, he may (or will) fail to obtain any benefit from the League's contributions. The official is given power to apply his contributions to purposes of life insurance instead of leaving them in the Fund. A tribunal of arbitration is provided to settle disputes between participating officials and the Board of Management of the Fund. Finally, provision is made for necessary amendment of the Regulations by the Council of the League.

The above description explains the operation of the scheme in the case of an official leaving after a normal period of service. In its recommendations to the last Assembly, the Commission proposed that the case of an official dying in the service, or invalidated out of the service, before an adequate sum had been accumulated on his behalf in the Provident Fund, should be dealt with by the constitution of a special "Death and Invalidity Fund," formed by paying into it the sums which participating officials who quit the service without satisfying all the requirements of the Regulations, will leave behind them in the Fund. After careful consideration, the Commission has come to the conclusion that the sums obtained in this way would not suffice to establish a system of obligatory payment of a substantial fixed benefit in case of premature death or retirement through invalidity. The Commission, however, considered the Assembly to have desired that some provision should be made for such cases and to have decided that the provision must be made with the resources which the Assembly had rendered available by its resolution of 28th September 1923. A Death and Invalidity Fund had accordingly been established as part of the Provident Fund, but it will not for the present pay fixed benefits in all cases. It will be used, at the discretion of the Board of Management, to make suitable grants in cases which appear to deserve special consideration. In order that it may be adequate for this purpose, it is provided that 10 per cent. of the League's contributions to the Fund shall be paid into it instead of being credited to the accounts of the participating officials. While, therefore, the official will contribute 5 per cent. of his salary to his account in the Fund, the League's contribution to the account will be  $4\frac{1}{2}$  per cent. of the salary. Means are provided whereby, if the majority of the participating officials should desire and if such a course is found practicable, a system of fixed obligatory payments in cases of premature death or retirement through invalidity can be introduced into the Provident Fund scheme.

It remains for the Commission to call attention to a certain number of points on which the decisions embodied in the annexed Regulations are not expressly covered by the recommendations which the Assembly approved or by the words of the Assembly's resolution, and where, accordingly, the Commission has been obliged to form for itself and apply an interpretation of the Assembly's wishes, taking into consideration the general nature of the scheme to be established and the circumstances to which the scheme applies.

These points relate mainly to the inclusion or exclusion of certain classes of officials:—

1. The Assembly's resolution does not mention the officials of the Permanent Court, but the Commission felt no difficulty in deciding that this omission was accidental, and that the officials of the Court were intended to be covered by the scheme. The Commission had recommended to the last Assembly that the officials of all League organisations should be included, and the Assembly took no contrary decision, but voted the money necessary to permit the inclusion of the officials of the Court.

2. In accordance with a decision of the Second Assembly (Records, Plenary Meetings, page 601, section (c)), the Commission recommended to the Fourth Assembly the exclusion from the Provident Fund scheme of the Directors of the Secretariat. The Second Assembly's decision was based upon the

The above is the present position. It is proposed to add the President Fund scheme to the existing one as serving under a separate head. A staff of the Income tax department for the same will be set up and the present Assembly, have to be convened to pass a bill for the same. The scheme will be subject to audit by the Comptroller and Auditor General of India, without having any right to interfere in the working of the scheme. The permanent staff will be appointed by the Comptroller. The terms of the above scheme will be framed by the Comptroller and Auditor General. It is to be kept at the disposal of the Comptroller and Auditor General for the President Fund scheme. The Comptroller and Auditor General will be in touch with the values of such funds and will be responsible for the safe custody and the losses which they incur. It is proposed to give the Comptroller and Auditor General the power to call for any account of any sum received or paid into a President Fund and to require the payment of such sum into the President Fund. The Comptroller and Auditor General shall "inquire into any sum received or paid into a President Fund and to require the payment of such sum into the President Fund".

the first time that the author has been able to describe a new estuarine which  
is characterized by its high salinity.

raised insurmountable difficulties in connection with the distribution of each year's net income among the accounts of the Fund, with the investment of the Fund's assets and with the maintenance of its solvency. It felt that the accounts of the Fund must be kept, and its liabilities be established, in a single currency and that this currency must naturally be the Swiss franc. All the participating officials will, under this decision, be obliged to make a compulsory investment in Swiss francs and to bear the risk and take the chances of profit which might result therefrom.

#### ANNEX.—REGULATIONS OF THE STAFF PROVIDENT FUND.

##### PART A.—CONSTITUTION AND OBJECT OF THE FUND.

*Article 1.*—There shall be established, in accordance with the present Regulations, as from 1st January 1924, a Provident Fund for the benefit of the staff of the various organisations of the League of Nations.

The Fund shall be the property of the League of Nations. It shall not be applicable to meet liabilities other than those provided for in the present regulations.

The Fund shall be administered on behalf of the League by a Board of Management assisted by an Investments Advisory Committee, in the manner provided for in the present regulations, and separate accounts shall be kept.

The League guarantees the payment of all sums falling due under the present regulations.

*Article 2.*—Whatever the organisation of the League to which they belong, all permanent officials, other than those coming within the provisions of the next following paragraph, shall contribute to the Fund.

Officials receiving salaries equal to or above the scale assigned to Directors of Section as regards the Secretariat, to Chiefs of Division as regards the International Labour Office, and to the Registrar of the Permanent Court of International Justice, shall not contribute to or participate in the benefits of the Fund.

Contributing officials who, being members of a civil service, are, in order to retain their pension rights, making payments to a pensions or provident fund or to their department, may charge the payments so made to their accounts in the Fund, subject to the conditions approved by the Board of Management and to the extent which would be allowable under Article 8 if such payments were premiums payable on a policy of insurance.

For the purposes of this article :—

(1) The term "official" means an employee whose salary is borne on the budget of the League and who is classed as an official under the regulations of the organisation in which he serves.

(2) The term "permanent official" means an official holding either (a) an international engagement for a fixed period, provided that the period is not less than seven years, or (b) an engagement for an indeterminate period as a locally recruited official unless the engagement is expressed or shown by its terms to be of a temporary character.

Any question as to the participation in the Fund of a particular employee shall be decided in accordance with the terms of this article by the authority or official responsible for his engagement.

*Article 3.*—The contribution of each contributing official, hereinafter referred to as a member, shall be a sum equal to 5 per cent. of his salary, payable monthly by deduction from his salary, and an equal amount shall be contributed monthly by the League in respect of the member.

*Article 4.*—Subject to the provisions of Article 18 relating to deductions to be made for the Death and Invalidity Fund, the contributions paid by and in respect of a member shall be carried monthly to a separate account, in the name of the member, in the books of the Fund.

The accounts provided for in this article shall be kept in Swiss francs.

*Article 5.*—Interest shall be credited to each member's account, at a rate determined in accordance with these regulations, on 1st January in each year, and shall be calculated on the average of the balances standing to the credit of the account at the end of each month of the preceding year.

Interest shall also be credited, in the manner provided in this article, to the account of the Death and Invalidity Fund established under Article 18.

*Article 6.*—On the termination of a member's service, or at his death, the balance standing to the credit of his account, including interest up to the date of termination of service or death calculated at the rate of the last annual distribution of interest, and interest thereafter down to the date of tender of payment at the rate of 3 per cent., or such other rate as the Board of Management may fix, shall be paid to him or, if the member is dead, to the person entitled by law to receive such payment:

Provided that :—

(a) A probationary official who leaves owing to non-confirmation of his appointment shall be entitled only to that part of the balance to the credit of his account which represents his own contributions with interest thereon.

(b) A member who, before completing seven years' service, resigns or terminates his appointment by giving due notice, or is dismissed for any other reason than abolition of post, reorganisation rendering his services unnecessary, age limit, or disability resulting from sickness or accident, shall be entitled only to that part of the balance to the credit of his account which represents his own contributions with interest thereon, together with the following fraction of that part of the balance to the credit of his account which represents the League's contributions with interest thereon, namely :—

If he has not completed three years' service—nil;

If he has completed three years' service—one-fifth;

If he has completed four years' service—two-fifths;

If he has completed five years' service—three-fifths;

If he has completed six years' service—four-fifths.

(c) Notwithstanding the preceding provisions, a member dismissed for misconduct shall have no right to that part of the balance to the credit of his account which represents the League's contributions with interest thereon, but in an exceptional case and after a minimum of seven years' service, he may be allowed a payment not exceeding half the amount in question by a decision of

and the right to collect the demand. For the purposes of the present article, a demand may also be deemed to be refused on the ground that action is pending against the debtor, or that a claim shall not be deemed to have been denied.

Interest on the amount of the advance not paid by the due date will be charged at the rate of 12% per annum.

On the 1<sup>st</sup> of January, 1863, the first bill for a tax on the earliest date since which the

Each article called for in the contract will continue to be included in the  
list of articles until it has been delivered.

It is also important to note that it is performed under successive layers of wax, so as to prevent desiccation. In all cases of grafting of leaves and young twigs, the grafting should be done before the cambium begins to move, so as to secure the proper degree.

and the amount of the tax shall be liable to contribute to the  
amount of the tax, and the interest thereon, with interest as provided in the  
law, shall be paid by the holder of the bond, and his account shall be  
settled.

<sup>1</sup> The following statement is based on the information given in the Annual Report of the Board of Education of the State of Bihar, giving effect to the recommendations of the State Commission on Education, Bihar, 1951.

He has been a good man, and I hope he will always be a good man.

<sup>1</sup> See also the discussion of the contributions of the U.S. government to the Latin American economy in the last section.

the same time, the author of the present paper is engaged in a research concerning the cause of the disease.

the first time in the history of all the countries for which

the author's name and address, and the date of the original publication.

the first time in the history of the country, the new constitution was adopted.

and the other two were to be sent to the Bureau of Fisheries at the stations.

2. The following statement is made by the Secretary of the Commonwealth, regarding the conduct of the trial of the late Senator George W. Norris:

10. The following table shows the number of hours worked by each employee.

<sup>1</sup> The author would like to thank the editor and anonymous referees for their useful comments and suggestions.

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the 22nd inst. at the expense of the members of the Ford. The  
23rd inst. the members of the League organized another  
meeting, the same place, and the Ford effectively took over

and, so, who shall be chosen  
to make up the new cabinet of ministers.

<sup>1</sup> See also the discussion of the opportunities and constraints of the market by Shell in its study for the World Bank.

Then I shall retire following the first year of my service for two years, and the remaining three years will suffice for three years. Retiring

<sup>1</sup> The author wishes to thank Dr. J. R. G. Whitehead for his help in the preparation of this section.

Figure 10.20 shows the effect of varying the number of iterations and draw up its table.

It is recommended that the following be done to increase the effectiveness of the program:

any person who contravenes any of the provisions of these Regulations, shall be liable to a fine not exceeding five thousand rupees.

and to fix the annual fees of the Investors' Advisory Committee, for the

the said Forest, and the said Forest having regard to the  
said Forest, and the said Forest having regard to the  
said Forest.

John, 60 years.

(e) To make rules for the application of the present Regulations;

(f) To carry out all other functions belonging to it under the present Regulations.

The Board of Management may delegate to its chairman or one or more of its members the power to maintain liaison with the Investments Advisory Committee, and act upon its advice, and generally such powers to act in the name of the Board as may be judged desirable for the purpose of assuring the expeditious performance of urgent financial or administrative duties.

*Article 14.*—The Council of the League of Nations shall appoint an Investments Advisory Committee composed of three regular members and one substitute. The members and substitute shall be appointed for one year and shall be eligible for re-appointment. The position of member of the Board of Administration shall not be incompatible with that of member of the Committee contemplated in this article.

It shall be the duty of the Committee to advise the Board of Management as to the employment of the assets of the Fund, and, in particular, as to making of investments, changes of investments, liquidation of investments to meet liabilities of the Fund, and any other financial questions on which its advice may be sought.

*Article 15.*—The cost of material and of staff employed specifically in the service of the Fund shall be borne by the Fund.

The Board of Management shall be entitled to charge to the Fund the cost of professional assistance obtained by it for the purposes of the Fund.

Those members of the Board of Management and of the Investments Advisory Committee who are not officials of the League, and the president of the Arbitration Tribunal established by Article 19, shall be entitled to travelling expenses and subsistence allowance on the scale for the time being applicable to members of Commissions of the League. Members of these bodies who are officials of the League shall, when attending meetings thereof, be treated in the same manner as if they were attending a League commission in the ordinary course of their duty. The payments of travelling expenses and subsistence allowance contemplated in this paragraph shall be charged to the Fund.

*Article 16.*—The annual revenue account and balance-sheet drawn up by the Board of Management shall be submitted to the Council of the League of Nations at its March session.

*Article 17.*—The total income earned by the investments of the Fund during each year, after deducting expenses chargeable to the Fund and any amounts which the Board of Management may allocate to make good depreciation of securities or to create and augment a reserve fund, shall serve to determine the rate at which interest is to be credited to each account as provided in Article 5.

The Board of Management shall take all measures necessary to prevent the solvency of the Fund being impaired by depreciation of its investments, including the creation, as soon as possible, of a reserve fund. It shall have power to charge the whole or any part of any depreciation to the reserve or to the income from investments for the year. Further, for the purpose of giving effect to this article, it shall be within the power of the Board to spread any loss due to depreciation over two or more years.

In the event of a capital appreciation of the investments of the Fund, the Board of Management shall decide whether the whole appreciation should be allocated to the reserve or whether the position of the reserve is so satisfactory as to justify proposing to the Council of the League of Nations to distribute part of the appreciation among the accounts of the members.

#### PART C.—DEATH AND INVALIDITY FUND.

*Article 18.*—Balances of individual accounts retained by the Fund on the occasion of the resignation or dismissal of members under the terms of Articles 6 and 7 shall be transferred to an account entitled "the Death and Invalidity Fund," which shall constitute a separate account of the Provident Fund and be credited with interest as such.

In addition, 10 per cent. of the contributions paid by the League of Nations in respect of its officials under the terms of Article 3 shall be credited each month to the Death and Invalidity Fund.

The Death and Invalidity Fund shall be employed to furnish grants in cases of death or retirement or invalidity of members which appear deserving of special consideration.

Such grants, in amounts dependent upon the circumstances of the case, shall be awarded by the Board of Management. The decisions taken shall be without appeal.

The case of a member dying in consequence of a dangerous mission undertaken by him on behalf of the League is not one to which the present article applies.

In order to permit the system of *ex gratia* grants above contemplated to be replaced ultimately by a system of indemnities payable obligatorily in the event of death or retirement through invalidity, it is hereby provided that, if the majority of the members of the Provident Fund so decide, the joint contributions provided for by Article 3 may be subjected to deduction of a percentage devoted to furnishing to the Death and Invalidity Fund all or part of the additional receipts necessary to operate such new system.

#### PART D.—GENERAL PROVISIONS.

*Article 19.*—Any dispute arising between a member or his legal representative after death and the Board of Management of the Fund shall be referred to an Arbitration Tribunal consisting of the President of the *Tribunal fédéral suisse* or a member of that court nominated by him (who shall act as president of the Arbitral Tribunal) together with a representative of the Board of Management and a representative of the members.

The representatives shall be appointed at the beginning of each year. There shall, at the same time, be appointed for each representative a first and second substitute to fill his place in the event of his being unable to sit, either as being personally interested in the dispute or for any other reason. The Secretary-General shall take, in agreement with the principal officials of League organisations other than the Secretariat, the measures necessary to enable the members to appoint their representative and his two substitutes.

There shall be no appeal from the decision of the Arbitration Tribunal.

*Article 20.*—Amendments in the present Regulations may be made by the Council of the League of Nations. Amendments may be proposed, after mutual consultation, by the Board of Management and the principal officials of the League of Nations.

Provided always that, if the effect of the contemplated amendments is to increase the pecuniary liability of the League of Nations, they must first be submitted to and approved by the Assembly of the League.

\* For amendment introduced on recommendation of Committee IV, see p. 31.

*ANNEX IV.—Memorandum by the Financial Director on the Financial Operations of the League and action thereon taken by the Fifth Assembly.*

	Gold francs. 22,658,138
1. The approved budget for 1925 amounts to which sum is divided as follows:	
(a) Expenses of the Secretariat and special organisations (see Note 1)	13,359,334
(b) Expenses of the International Labour Office (see Note 2)	7,310,595
(c) Expenses of the Permanent Court of International Justice (see Note 3)	1,905,209
(d) Disbursements towards the Working Capital Fund	50,000
Total budget for 1925 as above	22,658,138
2. Unit valuation for 1925, 22,658,138 divided by 932	24,314.31
3. Unit valuation for present year (1924), 23,231.63570 divided by 932 Hence the unit for 1924 will be 1st 617.8 less than that of 1925 (see Note 4).	24,926.79
4. Amount returnable out of 1923 surplus to States which should have fully paid up their contributions before 31st December 1924 (see Note 5)	1,615,274.41
5. Financial position of the League on 1st September 1924—	
(a) Receipts from contributors between 1st January and 31st August 1924 (see Note 6)	24,136,942.81
(b) Summ receivable on 31st August 1924 (see Note 7)	13,583,524.31
6. Contributions in arrears	
(a) As on 1st January 1924	12,729,958.05
Reduced by payments amounting to	8,019,576.90
(b) Arrears remaining unpaid on 1st September 1924	4,710,351.15
(c) Arrears remitted by resolutions of the Fifth Assembly	89,160.72
7. Sum received from the Argentine Republic towards the budgets of 1922 and 1923 transferred to a special Working Capital Fund Account	1,756,873.40
8. Value (without depreciation) of the Hotel National and contents (see Note 8) approximately	6,165,000
9. Authorised expenditure for the new International Labour Office building (see Note 9)	3,000,000
10. Estimate of cost of the proposed new Conference Hall	1,500,000
11. The sum included in the budget of 1924 for the work of the Disarmament Conference, including 22,658 gold francs for an International Disarmament Conference, is	1,226,795
12. The sum included in the 1924 budget for new work is as follows—	
Temporary Commission on Slavery	15,000
Legal Aid to the Poor (see Note 10)	42,100
Committee for the development of International Law	29,350
Export Committee on Amendments to the Covenant	15,000
For study of ways to obtain assistance in disaster (see Note 11)	30,000
Study of ways to transfer Armaments to the Councils or elsewhere (see International Labour Office budget)	50,000
Total	181,950
13. Credit transferred to the budget of the International Labour Office for the care of Refugees subject to the approval of the Governing Body	203,000
<b>NOTES</b>	
1. The expenses of the Secretariat and Special Organisation include—	
(a) Ordinary expenditure	12,217,334
(b) On capital account	1,142,000
Total	13,359,334
2. The expenses of the International Labour Organisation include—	
(a) Ordinary expenditure	7,037,595
(b) On capital account	130,000
(c) Special expenditure on Refugees	25,300
Deduct appropriations-in-aid	7,120,595
Net total	80,000
3. The expenses of the Permanent Court of International Justice include—	
(a) Ordinary expenditure	1,905,084
(b) On capital account	3,125
Total	1,908,209

4. The Fifth Assembly left to the Allocation Committee the task of determining what modifications shall be made in the unitary ratings of members for 1925. By the inclusion of the Argentine Republic and the admission of San Domingo at least 36 units will be available for distribution. The Commission may decide to increase the total, now standing at 932. In case this divisor be increased, obviously the unit valuation given above as 24,314.31 gold francs will be further diminished.

5. The budget of 1924 contained provision for raising the sum of 1,615,274.23 gold francs to make good the impairment which the Working Capital Fund suffered in 1922. As the Fifth Assembly decided

to restore this impairment by using a part of the surplus of 1923, it was decided to return to each State, that fully pays up its contribution for 1924, the proportion of its contribution which was originally called up to restore working capital. This means that a credit of approximately 7 per cent of the contribution of 1924 will be credited to the members at the beginning of 1925.

6 Contributions received between 1st January and 31st August 1924 were made up as follows —

	Gold francs
(a) From arrears of contributions -	8,019,376 90
(b) From payments on 1924 budget -	14,360,492 51
(c) From the Argentine Republic in respect of 1922 and 1923 -	1,756,873 40
Total -	<u>24,136,942 81</u>

7 The sums receivable as on 31st August 1924 are as follows —

(a) From arrears of contributions -	4,710,381.15
(b) From balance due in 1924 -	8,873 143 19
Total -	<u>13,583,524 34</u>

8 Although, in point of fact, the Hotel National had been entirely paid for authorisation for the final 1,000,000 gold francs appears in the budget of 1925.

9. The Fifth Assembly decided to devote the remainder of the surplus (after reimbursement of Temporary Working Capital, see Note 5), that is to say, the sum of 1,139,580 63 gold francs, towards the payment of the cost of construction of the International Labour Office building. The Sixth Assembly will decide how the remainder of the cost shall be met.

10 No expenditure will be made for legal aid to the poor unless and until the amount required, estimated at 42,400 gold francs, has been provided from private sources. This work will therefore cost the League nothing.

11 The estimated expenditure for the study of a scheme for mutual assistance in disaster will be reduced by 10,000 gold francs, which sum has been generously donated by the Italian Red Cross.

ANNEX V.—Table showing, under the main heads, Expenditure for 1923, Budget for 1924, Budget for 1925, as originally submitted to Committee IV., Budget for 1925, including alterations made by Committee IV., after further scrutiny by the Supervisory Commission, and as finally passed by the Assembly.

#### A.—Secretariat and Special Organisations.

##### PART I—CURRENT EXPENDITURE.

CHAPTER	Expenditure, 1923	Budget, 1924	Budget for 1925 as submitted by the Supervisory Commission to the Fourth Committee	Budget for 1925 presented by Committee IV and passed by the Assembly
I Assembly and Council Sessions -	Gold francs 487,198	Gold francs 532,500	Gold francs 524,500	Gold francs 774,500
II General Services of Secretariat -	5,409,489	6,125,591	6,181,189	6,196,861
III Special Organisations of the League -	3,170,751	4,183,358	4,244,380	5,245,973
Refund of Expenses (Vilna Plebiscite) -	447,455	—	—	—
IV Loss on Exchange -	— 433,536	—	—	—

##### PART II—CAPITAL EXPENDITURE

V Buildings, Permanent Equipment, &c -	1,145,259	1,157,000	1,142,000	1,142,000
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#### B.—International Labour Organisation and Permanent Court of International Justice.

International Labour Organisation :—				
Ordinary Expenditure -	7 127,959	6,917,295	6,954,595	7,210,595
Capital Expenditure -	147,873	115,000	165,000	130,000
Permanent Court of International Justice :—				
Ordinary Expenditure -	1,553,898	1,916,002	1,884,254	1,905,084
Capital Expenditure -	—	4,166	3,125	3,125
Working Capital Fund -	500,000	2,077,774	50,000	50,000
Total -	( <sup>1</sup> ) 19,556,346	23,328,680	21,149,343	22,658,138

(<sup>1</sup>) The total expenditure of all the Organisations of the League of Nations amounts, according to the audited accounts, to 22,092,838 13 gold francs. The difference between that sum and the total shown above is due to the facts—

(a) That no account has been taken, in the figures of expenditure incurred during 1923, of certain extraordinary appropriations in aid (sale of a refrigerating plant, for example).

(b) That in the accounts the expenditure of the International Labour Organisation and the Permanent Court of International Justice is shown as the net sum payable to those Organisations, whilst in the present statement it represents the actual expenditure of the Organisations converted (in the case of the Permanent Court) at the parity of the franc.

**ANNEX VI.—Statement by M. Barboza Carneiro to the Fourth Committee, regarding the Draft Regulations for the granting of Retiring Pensions to ordinary Judges and to the Registrar of the Permanent Court of International Justice.**

The last paragraph of Article 32 of the Statute of the Permanent Court of International Justice reads as follows:—

“The Assembly of the League of Nations shall lay down, on the proposal of the Council, a special regulation fixing the conditions under which retiring pensions may be given to the personnel of the Court.”

The Fourth Assembly, on 28th September 1923, decided that the staff of the Court, with the exception of the Registrar, should participate in the Provident Fund set up for officials of the League. The Council on 7th July 1924 instructed the Supervisory Commission to draw up a scheme of pensions for those members of the Court not entitled to participate in the League Provident Fund. The Supervisory Commission submitted a scheme to the Comité—a very excellent scheme. The Fourth Committee instructed a sub-Committee to examine the details of this scheme, and on the report of the sub-Committee the Fourth Committee decided to modify certain passages in the Supervisory Commission’s scheme. After thoroughly discussing and considering the problem, we are laying a scheme before you. We begin by saying that only the ordinary Judges and the Registrar shall come under this scheme, because, although the Deputy Judges are members of the Comité, they have not, in our opinion, the necessary conditions to entitle them to a pension. On that point we are in agreement with the Supervisory Commission. The reason we are giving pensions to the ordinary Judges is that the ordinary Judges of the Court have given up any chance of pecuniary advantage or promotion elsewhere. That does not apply to the same extent to the Deputy Judges.

The Supervisory Committee left the Assembly to decide whether the Registrar should have a pension, and we decided that he should. The first Article lays down the conditions for obtaining a pension. In case of resignation, Judges shall not be entitled to a pension unless they have done five years’ service, and in the case of the Registrar, seven years. The pension shall only be paid from the moment when the person entitled to it has reached the age of 65. There are two exceptions, the case of bad health and insufficient private means, four or five years in the case of a Judge and seven years in the case of the Registrar, and the other exception refers to the pension before the age of 65, which is to be given only when the person entitled to the pension shall be in bad health or without private means, and in both cases a special decision of the Comité is necessary.

Article 2 fixes the maximum pension. The maximum is 15,000 Dutch florins for the Judges and 10,000 for the Registrar. The maximum pension shall only be given to a Judge if he has done 14 years’ duty, and to the Registrar if he has done 16 years’ duty. A Judge who has been President of the Court for one period shall obtain the maximum pension in 12 years. If he has been President for two periods, that is to say, six years, he can get his maximum in 11 years, and if he has been President during nine years he is entitled to 15,000 florins pension, but only after the tenth year. So therefore, even for the judge who has the greatest advantage it is necessary that he should be re-elected a member of the Comité in order to obtain the maximum pension.

Article 3 determines how the pension is to be calculated. It is one-thirtieth of the annual salary in respect of each period of 12 months in the service of the Court, and in the case of the Registrar, one-fourth. Therefore, after nine years’ service a Judge will have a minimum of 9,900 florins annual pension, and in the case of retirement after five years’ service the pension shall not be less than 5,500 florins. And in the case of a person who is entitled to a pension and is re-elected he shall not retain the pension during the period of duty, but at the end of that time the amount of his pension shall be calculated on the basis of his total length of service.

Article 4 lays down the period at which the pension is to be paid. Article 5 says that the pension shall be included in the expenses of the Court within the meaning of Article 33 of the Statute.

Article 6, the last Article, lays down the conditions under which these regulations may be amended, to safeguard the rights of persons elected before the amendment.

Those are the conditions, and I ask you to accept them. You are completing the work of the 1923 Assembly, and you are honouring the promise made by the First Assembly. The Fourth Committee has it fully in mind that it has to see that the League of Nations’ budget is not overloaded with expenses which are not justified. We consider that we give the Judges pensions which are in no way exaggerated, and we ask you to accept the proposal of your Budget Committee.

**ANNEX VII.—Extract from the Report of the Advisory Committee on Opium to the Council, dated 15th August 1924.**

**MEASURES SUGGESTED BY THE ADVISORY COMMITTEE AS A BASIS FOR THE DELIBERATIONS OF THE SECOND CONFERENCE, NOVEMBER 1924**

**PART I.**

1. That each country shall furnish an estimate of its annual import requirements for medical and scientific purposes, whether for domestic consumption, manufacture or commerce, of (a) raw opium; (b) coca leaves; (c) morphine, its salts, and preparations containing morphine; (d) heroin, its salts, and preparations containing heroin; (e) cocaine, its salts, and preparations containing cocaine.

2. Each Government undertakes to refuse to authorise the importation into its territory of any of the substances mentioned in Article 1 beyond the quantities specified in the estimates furnished by it in pursuance of Article 1. The foregoing provision shall not prevent the Government of a country, in which the use of opium for smoking purposes is still temporarily permitted under Chapter 2 of the Hague Convention, from authorising the importation of raw opium, in conformity with the provisions of Chapter 2 of the Convention, until such time as the use of opium for smoking purposes shall have been definitely prohibited.

3. A permanent Central Board, composed of experts, shall be constituted by the Council of the League on the advice of the Opium Advisory Committee.

4. The Governments agree to send to the Central Board :—

- (a) Their estimates of their annual import requirements in pursuance of Article 1.
- (b) Within three months after the end of each quarter, statistics of their imports from each country and of their exports or re-exports to each country during that quarter, and, within three months after the end of each half-year, statistics of their manufactures during that half-year, and, if possible, the stocks in the hands of the wholesale dealers at the end of the half-year, of each of the substances mentioned in Article 1.
- (c) Within three months after the end of each year, the total quantity of each of the substances mentioned in Article 1, consumed as such in the country during the year.

The Central Board will communicate periodically to all Governments the position as regards the exports and re-exports to each country.

Should it appear that the imports of any of the substances mentioned in Article 1 already received in any country during the current year have exceeded the amounts specified in the estimate furnished by that country, the Central Board shall call the attention of the Governments specially to the fact. Each Government undertakes not to export any further consignment of the substance in question to the said country during the same year, unless a revised estimate of its requirements shall have been furnished by the country.

5. If any country furnishes no estimate of its requirements in pursuance of Article 1 or furnishes an estimate which appears to the Central Board to be greatly in excess of the reasonable requirements of the country and to be likely to be used in part for the illicit traffic, the Board shall fix the amounts of the reasonable requirements of that country after taking into account its population, climatic and hygienic conditions and all other factors which appear to the Board to be relevant, as well as any other special circumstances which the said country will be at liberty to submit to the Board. The Board shall notify the amount so fixed to all Governments. Each Government agrees not to allow the export to that country of amounts which, taken in conjunction with the exports from other countries, will exceed the amounts fixed by the Board.

6. If any Government of any country which has commercial relations, in the matter of the substances mentioned in Article 1, with a country for which an amount has been fixed by the Board in pursuance of Article 5 or Article 7, para. XIII, considers that it is undesirable to limit exports to the latter country to the amount so fixed, it shall have the right to demand that a special conference of all the countries which have such relations with the said country shall be summoned to consider whether such limitation or any other measure should be put into force.

## PART II.

7. The provisions of the Hague Convention of 1912 shall be amended as follows:—

(I) Article 2 shall be extended to apply to coca leaves.

(II) The following article (numbered 2bis) shall be added to the Convention:—

“Each Contracting Power shall require that a separate import licence must be obtained for each importation of raw opium or coca leaves. The licence may allow the importation of the amount for which the licence is given in one or more consignments within a period to be specified in the licence.”

(III) Article 3 shall be replaced by the following article:—

“Each Contracting Power shall require that a separate export licence must be obtained for each exportation of raw opium or coca leaves. The Contracting Power, before issuing such licence, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person applying for the licence. The licence may allow the exportation of the amounts for which the licence is given in one or more consignments within a period to be specified in the licence. Unless a copy of the export licence accompanies the consignment, the Government issuing the export licence shall send a copy to the Government of the importing country. The Government of the importing country, when the importation has been effected, shall return the export licence with an endorsement to that effect to the Government of the exporting country.”

“In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above.”

(IV) Article 5 shall be omitted.

(V) The definition of cocaine in Chapter III shall be modified as follows:—“By cocaine is understood the principal alkaloid of the leaves of *erythroxylon coca* having the formula C<sub>17</sub>H<sub>21</sub>NO<sub>4</sub>, whether extracted from the leaves of *erythroxylon coca* or produced by chemical synthesis.” (Egonine also to be included?)

(VI) In Article 10 the words “The Contracting Powers shall control” shall be substituted for “The Contracting Powers shall use their best endeavours to control or to cause to be controlled,” and the words “The Contracting Parties shall adopt” shall be substituted for “The Contracting Powers shall use their best endeavours to adopt or cause to be adopted.”

The words “or shall make to the competent authorities an official declaration that they are so engaged” shall be omitted.

The words “This rule shall not necessarily apply to medical prescriptions and to sales by duly authorised chemists” shall be omitted.

(VII) Article 12 shall be replaced by the following article:—

“Each Contracting Power shall require that a separate import licence must be obtained for each importation of any of the substances to which Chapter III applies. The licence may allow the importation of the amount for which the licence is given in one or more consignments within a period to be specified in the licence.”

(VIII) Article 13 shall be replaced by the following article —

“Each Contracting Power shall require that a separate export licence must be obtained for each exportation of any of the substances to which Chapter III applies. The Contracting Power, before issuing such licences, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person applying for the licence.

“The licensee may allow the exportation of the amount for which the licensee is given in one or more consignments, within a period to be specified in the licence.

“Unless a copy of the export licence accompanies the consignment, the Government issuing the export licence shall send a copy to the Government of the country of importation.

“The Government of the importing country, when the importation has been effected, shall return the export licence, with an endorsement to that effect, to the Government of the exporting country.

“In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, the production of a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be admitted by the Government of the exporting country in place of the import certificate provided for above.”

(IX) For the purpose of ensuring the full application and enforcement of the provisions of the Hague Convention, as amended by this agreement, in free ports and free zones, the Governments undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise the same supervision and control in respect of the substances covered by the Convention as amended by this agreement, as in other parts of their territories.

(X) In the case of a consignment of any of the substances covered by the Convention as amended by this agreement exported from one country to another country, which passes through the territory of a third country without being removed from the ship or conveyance in which it is being conveyed, except for the purpose of being transferred to another conveyance under the supervision of the authorities of the country of transit, a declaration shall be made to the authorities of the country of transit of the contents of the consignment and the country for which it is destined. If no declaration is made or a false declaration is made, the consignment shall be liable to confiscation by the authorities of the country of transit and the person making such false declaration shall be guilty of an offence.

(XI) No transhipment of a consignment of any of the substances covered by the Convention as amended by this agreement shall be allowed unless the consignment is accompanied by an official copy of the export licence, issued by the authorities of the country of export, or by an official copy of the import certificate, issued by the authorities of the importing country. It shall be made illegal for anyone in the country of transhipment to divert, or attempt to divert, the consignment to any destination other than that named in the official copy of the export licence or import certificate above mentioned, without an export licence from the authorities of the country of transhipment.

(XII) A consignment of any of the substances covered by the Convention, as amended by this agreement, which is landed in any country and placed in a bonded warehouse, shall not be allowed by the Government of that country to be withdrawn from the bonded warehouse to be sent out to another country unless an import certificate, issued by the Government of the country of destination and certifying that the importation is approved, is produced to the authorities of the former country. A special certificate shall be issued by the Government in respect of each consignment so withdrawn, and shall take the place of the export licence for the purpose of the preceding provisions of this agreement.

(XIII) In the case of a country which is not a party to this agreement, the Governments undertake not to allow the export to such a country of any of the substances covered by the Convention as amended by this agreement except such amounts as may be fixed by the Central Board as being reasonably required for the medical and scientific needs of the country.

### PART III

The Conference makes the following recommendations —

1 That each Government should forbid any person within its jurisdiction from procuring or assisting the commission, in any place outside its jurisdiction, of any offence against the law in force in such place for controlling or regulating the manufacture, sale, use, export or import of any of the substances covered by the Convention as amended by this agreement, and that any person knowingly violating such prohibition shall be liable to punishment.

2 That each Government should forbid the conveyance in any ship sailing under its flag of any consignment of the substances covered by the Convention as amended by this agreement —

- (1) Unless an export licence has been issued in respect of such consignment in accordance with the provisions of the Convention so amended and the consignment is accompanied by an official copy of such licence;
- (2) To any destination other than the destination mentioned in the licence.

### ANNEX VIII.—Correspondence between the British and Turkish Governments regarding the frontier between Turkey and Iraq.

The following letters and notes are circulated to the Assembly at the request of the British and Turkish Governments respectively.

#### NOTE FROM THE TURKISH GOVERNMENT TO THE BRITISH GOVERNMENT

In spite of all our diplomatic and conciliatory action for several months past, English aeroplanes—which have been continually raiding our frontiers again—crossed them on 9th, 12th and 14th September. Not content with these raids, carried out regardless of the possible consequences, they opened machine-gun fire and dropped bombs on our military contingents in the neighbourhood of the *status quo* frontier.

and on our own territory. According to information received up to the present, this action resulted in 3 killed and 12 wounded.

In order to show the seriousness of this matter and to prove that it is merely one phase in a definitely organised secret plan, we should like to give information on certain recent incidents.

At the Golden Horn Conference, the British delegation, contrary to the spirit and letter of the Treaty, proposed a frontier situated outside the Vilayet of Mosul, thus claiming an important portion of our Vilayet of Hakkari.

After the Conference had broken down on this account, a change took place in the attitude of the Nestorians of that Vilayet. On 7th August 1924, at a place called Han-Guedik, situated to the south of Tchulemerik, the Vali of Hakkari and the gendarmes accompanying him were attacked by Nestorian brigands, and a major and three gendarmes were killed and five others wounded.

The Vali, who was taken prisoner, managed to escape from the brigands with great difficulty. Since then the latter have increased their mischievous activities.

At the time of this incident, when the Vali was in the chief town of our Tchal district, a British official, Mrs. Lloyd, who without authorisation had come across from the English zone to see him, took up the singular attitude of criticising certain measures that the Turkish Government had adopted to the north of the *status quo* frontier.

At the time of the brigands' armed attack on the Vali and his gendarmes, English aeroplanes continually flew over the spot where the incident occurred.

The Turkish Government was compelled to employ repressive measures against the brigands, and, keeping to the north of the *status quo* frontier, massed the necessary forces of soldiers and gendarmes at Tchulemerik, Beit-el-Chebab and Harbul. In defiance of all international law, English aeroplanes regularly continued to fly over our territory. On our making a protest against these air raids, the Foreign Office claimed, in its reply of 21st August 1924, No. 6899-5711-65, that the Birvari, Balu and Tchakallou posts had not moved further north.

The raids which followed this absolutely untrue statement were as follows:—

On 9th September 1924, at 8 a.m., two aeroplanes, proceeding from the direction of Zaho, followed the Hazil river, took a northerly course and then made off, turning towards the Guyan district.

On the 12th of the same month, at 8.15 a.m. three aeroplanes, coming from the direction of Zaho, proceeded north, after flying around in the neighbourhood of the Hazil river. Another aeroplane, also coming from the direction of Zaho, made for the Guyan country across "Djumada."

On 14th September 1924, at 7.30 a.m., seven aeroplanes, proceeding from the direction of Zaho, flew over the country lying between the Hazil and Klapun streams. At 8 o'clock, three aeroplanes, also coming from Zaho, opened machine-gun fire on our military camp and dropped bombs. Two aeroplanes, apart from those already mentioned, crossed our frontier, flying as far as Chernak, which is 50 miles over the frontier, the first machine at 7 a.m., and the second at 5 p.m. There are indications that the English authorities tried to bribe certain people belonging to the detachments that were charged with the punishment of the brigands.

In a letter addressed on that occasion to our Caimacan of Djezré and signed by Fettah, Deputy Governor of Zaho, the following occurs:—

"We are informed that a regular force of the Turkish Government approached the frontier of Amadiéh and it was noticed that a small force crossed into the territory of the State of Iraq. If this state of affairs continues without any attempt being made to remedy it, the position will become serious. Inform the commander of the troops that his forces may expect resistance on the Iraq frontiers."

The object of this communication from the English authorities, who have for months continually been conducting air raids to the north of the *status quo* frontier and in Turkish territory, was undoubtedly to pave the way to the bombing and machine-gun attack of 14th September 1924.

I formally protest before the world and the League of Nations against the aggression committed on our territory on 14th September against Turkish soldiers, and I reserve the right to claim full indemnity for the killed and wounded, also for all material damage. I will forward in due course the actual claim for indemnity.

Another important point is the fact that the British Government, in disregarding the *status quo* frontier, is trying to bring about a *fait accompli* by taking common military action, thereby encouraging brigands on Turkish territory.

Article 3 of the Treaty of Lausanne provides for the maintenance of the *status quo* until the dispute regarding the Iraq frontier is settled.

Turkey, in spite of the numerous encroachments of the British Government, has respected the *status quo* frontier, and yet has her territory violated at the very moment when the League of Nations is enquiring into the matter. In these circumstances, we must know if the British Government still recognises as valid the solution stipulated in the Treaty for the present dispute, i.e., if it recognises the *status quo* frontier?

So long as these essential points remain in doubt and reparation has not been made for the aggression of 14th September, we are compelled to conclude that the British Government, disregarding the peaceful tendencies in the world, is attempting to settle the dispute over the Iraq frontier by armed force and thus to create a *fait accompli*.

I should be pleased to receive as early as possible a reply to this note, which will be communicated to the Press after it has been handed to the British Government.

N.B.—In view of the fact that the above text has been cabled with numerous omissions, the Delegation reserves the right of making any necessary rectifications.

#### LETTER FROM LORD PARMOOR TO THE COUNCIL OF THE LEAGUE TRANSMITTING A NOTE FROM THE BRITISH GOVERNMENT.

Geneva, 25th September 1924.

I have the honour to communicate to you, by the desire of the British Government, a copy of a note which they have addressed to the Turkish Government on the subject of recent incidents on the Turco-Iraq frontier.

2. In desiring to take this step, the British Government are acting in accordance with the provisions of the second paragraph of Article 11 of the Covenant of the League of Nations, by which it is declared to be the friendly right of each Member of the League to bring to the Council any circumstance which threatens to disturb the good understanding between nations upon which peace depends.

3. I request that you will be so good as to bring the terms of the British Note to the notice of the Council with the least possible delay.

(Signed) PARMOOR.

*Copy of Note presented to the Turkish Government.*

His Majesty's Government have learnt with astonishment of a direct and flagrant contravention of the undertaking given by the Turkish Government in Article 3 (2) of the Treaty of Lausanne that, pending the decision to be reached on the subject of the Turco-Iraq frontier, no military or other movement should take place which might modify in any way the present state of the territories of which the final fate will depend upon that decision. A serious warning was conveyed to the Kaimakam of Julamerk by the High Commissioner for Iraq on 12th September. On 14th September a British air patrol discovered a small hostile force crossing the river Hazil north of Rabanki. The presence of further armed bodies was also reported near Bersiwi and Bahnumah on the tracks leading to Zakho. The British authorities, assuming that these forces were composed of irresponsible tribal elements, and apprehensive that their action, if unchecked, would result in serious trouble amongst the border tribes, took the necessary steps to drive some of the invaders back across the frontier by machine-gun fire from the air, which caused some casualties.

A communication was made by the British Chargé d'Affaires to the delegate of the Turkish Ministry for Foreign Affairs at Constantinople on 17th September to the effect that a serious situation would arise if Turkish troops crossed the frontier in such numbers as to appear intentionally to infringe the *status quo*. The Turkish Government will appreciate the fact that Bersiwi and Bahnumah are well within the boundary, not only of the area administered by the British authorities on the date of the signature of the Treaty of Lausanne, but also within the old administrative boundary of the Mosul Vilayet. According to a report received by His Majesty's Government on 18th September, bodies left behind by the invaders show that Turkish regulars formed a part of the invading force. It was also reported that Turkish troops had proceeded to the eastward within the administrative frontier of Iraq and had attacked a police post and that in villages within the frontier. On 20th September, it was reported that Turkish troops had overpowered a detachment of Irak police at Chagalle, on the Khabur, and were threatening other Iraq police posts in Barwari Bela, a few miles north-west of Amadia.

It was thus clear that Turkish regular forces were definitely invading the area administered by His Majesty's Government at the date of the signature of the Lausanne Treaty and were wilfully disregarding the *status quo*.

On 22nd September, the High Commissioner reported that detachments of the Iraq police and of local levies (an Imperial force under British officers, though our information does not show that British officers were actually present) had been forced back to Amadia. Their retirement was accompanied by the flight of a mass of Assyrian Christians and Iraq tribesmen, who are pouring into Amadia in large numbers.

His Majesty's Government protest in the most solemn and formal manner against the intentional and flagrant violation of a solemn undertaking given by the Turkish Government in an international instrument which has been duly ratified, brought into force and submitted to the League of Nations for registration.

His Majesty's Government regard the events recited above as a circumstance affecting international relations and threatening to disturb the good understanding of nations upon which peace depends. They are accordingly instructing the British representative on the League of Nations to communicate the foregoing protest to the Council and Assembly and to bring to their attention, as provided for by Article 11 of the Covenant, the present state of affairs on the Iraq frontier.

Meanwhile, the British authorities in Iraq have been authorised to take all necessary action to prevent the invasion or infiltration by Turkish forces of a nature to entail serious unrest and bloodshed.

LETTER TO THE SECRETARY-GENERAL FROM THE REPRESENTATIVE OF THE TURKISH REPUBLIC AND ACCOMPANYING NOTE.

Geneva, 26th September 1924.

With reference to my statements at yesterday's meeting of the Council, I have the honour to forward to you further information which I have received on the incidents occurring north of the *status quo* frontier—information which bears out my statements.

These incidents show that, since 14th September, British aeroplanes have constantly crossed the frontier.

The Government of the Turkish Republic has had to send a further Note to the British Government to protest against these raids.

I should be obliged if you would kindly forward this communication to the Members of the Council.

(Signed) A. FETHY.

On 17th September, about 5 p.m., British aeroplanes attacked the "Cheranice" district and caused the death of two Turkish soldiers. Two soldiers were wounded.

On the morning of 18th September, four British aeroplanes made an attack in the Tchelki district, in which two men were killed and four others wounded.

In another attack that took place on the evening of the same day, one soldier was wounded. The losses in material and cattle have not yet been ascertained.

On 20th September, three aeroplanes operating against Deehete-Maacek, on the Besbine-Cheranice road, 10 kilometres from the Mazil river, caused the death of one officer and six Turkish soldiers.

There were also 25 wounded—15 seriously.

On 22nd September, another attack was made on a convoy of camels belonging to private individuals. Two camel-drivers were wounded. Twenty of the camels were killed and 40 injured.

*ANNEX IX.—Report submitted to the Assembly by the Committee on the Allocation of Expenses.*

The task assigned to the Committee on the Allocation of Expenses by resolution of the Assembly of 1923 was of a twofold nature. On the one hand, it was practical and precise, involving a power of decision; on the other, it was general, involving in the Committee a scientific enquiry into the possibilities of determining a permanent scheme of allocation.

The Committee met on the 22nd October 1923 to discharge its first duty—that of allocating among those Members of the League which find the present scale particularly burdensome the five surplus units that became available on the admission of the new Members in 1923.

The claims laid before the Committee, and the latter's decision thereon were duly embodied in a special report (C 686 M 276 1923 II), and the present document is merely intended to inform the Council and Assembly as to the stage now reached in the work of preparing a scale which will fulfil the specified requirements.

All who have followed the question will remember that, in order to determine the extent to which Members of the League could be expected to contribute to its expenses, the Committee proposed to take the budgetary expenditure of the different States for a certain year (choosing as recent a year as possible), and eliminating all abnormal expenditure so as to leave only those items which, generally speaking, constitute the "normal budget" (cf A 23 1923 II).

The Secretariat to whose zeal and ability the Committee desires once more to pay tribute, set to work on the lines thus laid down for it, and had the question fully in hand as early as October 1923, analysing the most recent budgets of the various countries in order to place the essential facts before the Committee.

The Committee held two meetings to examine the results so obtained, to investigate the problem further, and to give still more specific instructions to the Secretariat.

By March 1923, 21 budgets had been exhaustively analysed, and by the 1st July this number had been increased by a further 22.

As, however, this work is still incomplete, it would appear useless at the present juncture to bring before the Council and Assembly all the different questions which have arisen.

What the Committee is particularly anxious to point out is that it is unanimously prepared to withdraw most of the provisos which it thought it wise to lay down in its 1923 report. It is convinced, in the light of the experience now gained, that the method proposed, although not scientifically perfect, offers definite prospects of success.

At the same time, the Committee is equally desirous of drawing attention to the two principal difficulties which are at present rendering it powerless, and which not merely eliminate all possibility of reaching a solution by 1923, but threaten to postpone indefinitely the successful conclusion of the Committee's work.

The first of the Committee's difficulties is the less serious of the two because it can be removed if the Members of the League one and all take prompt action. As we have seen, the Secretariat has only been able to supply the Committee with particulars regarding the budgets of 43 countries, and, in point of fact, it found, as its investigations proceeded, that the sources from which it had to seek its information became more and more elusive. In the case of some 10 of the States considered, the official documents required were either several years out of date or in some cases were not available at all. Accordingly, the Secretariat was obliged to fall back upon unofficial publications, the accuracy of which may at any time be impugned by the Governments to which they refer. One of the very reasons which led the Committee to adopt the budgetary expenditure of the different States as a criterion was that its work would thus be based upon figures which are beyond dispute. This is impossible, however, if the budgets are not obtainable at first hand and are not sent in as rapidly as possible by the Governments themselves. The Committee therefore respectfully but urgently begs the Assembly to pass a resolution calling upon the States Members of the League to transmit in future to the Economic and Financial Section of the Secretariat, their detailed budget estimates for 1923 (1923-24) and to continue to send in future the budgets for each financial year immediately they are published.

The second difficulty, which was referred to in the previous report, bears upon the question of the exchanges.

The budgets of countries with depreciated currencies, largely based on home prices, give, when converted into gold francs, an entirely erroneous idea of the financial position of the countries in question. All comparison is thus at once invalidated, and as, in addition, these exchanges are in addition liable to violent oscillations, the result would be that if the exchanges had not been stabilised and home prices for the principal commodities brought into line with world prices, the so-called permanent scale put before the Assembly, which would in my case necessarily be open to criticism, would vary every year to an incalculable extent.

Unexpected eventualities of this kind were certainly not what the Assembly had in mind.

Is there, then, any means of avoiding the effects of these exchange irregularities?

The Committee examined a large number of economic indices, but found no way out in this direction.

It was, however, greatly struck by the coincidence of its own experience with the conclusions of the "Dawes Report." The distinguished experts who had to study the fluctuations in the economic power of a single State experienced great difficulty in evolving indices at all representative of actual facts, what, then, would they have said had they been asked to work out constant indices by which it would be possible to follow and compare the movement of national wealth in States differing profoundly in the development of their civilisation, their climate, the nature of their wealth and so forth.

This is the unfortunate position to which the Committee has to draw attention, a position, however, which, to its great regret, it can do nothing to repair. In these circumstances, it might perhaps have been content to ask the indulgence of the Members of the League. It realises, however, that it is not merely an academic body working for posterity, but that it is principally concerned with the difficulties which confront the other representatives of the different Governments, and accordingly it has unanimously decided to make a second proposal.

It suggests that, if the Assembly and the Council still repose confidence in it and renew its mandate, the terms of that mandate should be so widened as to authorise it to make use of the budgetary documents which it is hoped will be sent in by the different Governments, together with all other

information in its possession; in order to prepare a scheme to amend the provisional scale of allocation; the new scheme to be submitted to the Assembly in 1925 and to come into force in 1926. By such a plan, which would embrace all the States Members, it would be possible to remedy the most flagrant inequalities of the present scale, and to take a further step towards establishing a permanent scale. There would then be no great difficulty in waiting for that happier time when, the economic balance of the world restored, it will once more be possible to work upon a sure foundation and to avoid the folly and danger of building upon sand.

#### *ANNEX X.—Memorandum of Indian Delegation on the Allocation of Expenditure of the League.*

At the Fourth Assembly of the League of Nations, India expressly reserved her right to object to the renewal of the provisional scale of contributions to League expenditure if it were proposed to continue the present scale for the year 1925 without reduction of the number of units at which India was assessed for the year 1924. The Indian Delegation are instructed to claim a reduction of India's contribution from 60 to 50 units.

A claim for the reduction of India's contribution was presented orally and in writing to the sub-Committee on the Allocation of Expenditure set up by the Fourth Committee of the Fourth Session of the Assembly. In view of the decision of the Assembly at that session to entrust to M. Réveillaud's Committee the distribution of the five units which became available in 1924 by the accession of new States to the League, a further claim was presented before the Allocation Committee at its meeting held after the close of the Fourth Session. The arguments on which India's claim is based will, therefore, be familiar to most of the members of the sub-Committee on the Allocation of Expenditure which has now been convened, and it will therefore be sufficient to recapitulate these arguments here as briefly as possible:—

(1) India is the third (equal) contributor to the League's funds. Of all the Great Powers two only—Great Britain and France—pay contributions larger than India. India pays four units more than Japan or Italy; she pays 13 units only less than France, and 23 units only less than Great Britain. Her contribution is 25 units in excess of that of Spain, and 30 units higher than Brazil. These figures in themselves seem sufficient to demonstrate that India's contribution is unjustifiably high.

(2) The Réveillaud Committee enunciated the principle that "no system of allocation can be regarded as equitable which is based almost exclusively upon figures reflecting capacity to pay, and which does not take account of factors such as the benefits accruing to all Members." Considering the question broadly, it is obvious that, while the benefits which European countries derive from the League are not only remote and contingent, but also immediate and direct, the benefits which India obtains from the League's activities fall almost exclusively into the former category. If this question be examined in somewhat greater detail, it will be found that India is not represented on the Council of the League, although her contribution is 65 units as against 88, 78, 61, 61, 40, 35, 33, 18, 15, 7, for the countries represented on the Council. India has no representative on the Permanent Court of International Justice, although the leading exponents of Hindu and Muhammadan law are Indian nationals. Both these systems of law govern the civil and personal relations of well over a hundred million individuals each. As regards the Governing Body of the International Labour Office, India's claim to be recognised as one of the eight States of chief industrial importance was not accepted without great delay, and after much difficulty. In the year of India's admission as one of these States, three of the eight nations (exclusive of Germany) then represented were assessed to contributions of 61, 35, and 15 respectively, as against the 65 units payable by India for 1923. It is not without interest to point out that, in the world as it exists to-day, industrial importance is a fairly accurate index of taxable capacity.

Lastly, in considering this question of benefits received, it may be noted that India is represented by two of her nationals only on the combined staff of the Secretariat, the Labour Bureau, and the International Court of Justice. One nation paying 23 units more than India is represented by over 200 of her nationals; another paying 13 units more than India is represented by 145 of her nationals; a third paying 50 units less than India is represented by about 130 of her nationals. Comparisons of this nature could be extended almost indefinitely.

(3) The provisional scale at present in force was originally based on the principle that the two most important factors which should be taken into account were population and net revenue. This principle is inherently defective, inasmuch as the population factor enters into the net revenue of any State. The net revenue is, in fact, the average taxable capacity of the individual, multiplied by the population of the State. This fundamental error, under which double weight is attached to the population factor, though perhaps not of great importance in the case of European countries, vitiates the whole of the calculations in cases where, as in India, the population is enormous while the taxable capacity is low. Further, the pressure of a proportionate increase in taxation is relatively much greater in such countries than in a European country. The pre-war net revenues per head of the six countries, Members of the League, having the largest net revenue, and of Canada and Australia, are approximately as follows, in dollars:—France 23, United Kingdom 18, Australia 15, Italy 14, Canada 14, Japan 6, China 1, India 1.

(4) The statistics on which the present allocation system was originally based were those of the year 1913; an examination of the budgets of various countries suggests that their revenues have since risen to a considerably greater proportionate degree than the revenues of India. A reasonable assumption, therefore, is that in basing the present contribution upon the 1913 revenues India is relatively over-assessed.

(5) The scale now in force was originally based upon the net revenue figures; but the figures actually employed in assessing the contribution were not figures of net revenue in the sense in which that term is understood in India. They do not include any deduction on account of interest on the capital invested in productive State undertakings. This question is of special importance to India, inasmuch as the circumstances in that country have, it is believed, resulted in the State owing in particular railway and irrigation properties to an extent unknown in the majority of other countries. Detailed calculations show that, in place of the figure of £78·1 millions accepted by the Réveillaud Committee, the correct net revenue figure for the year 1913–14 in India is £64 millions only, or \$11 in place of 380 million dollars. It is impossible to ascertain with precision to what extent other countries are affected by the omission to take account of this factor in the calculations on which the scale proposed by the Allocation Committee was fixed; but, for the reason already stated, it seems certain that the error affects India disadvantageously.

to a very much greater extent than any other country. A summary calculation suggests that India's percentage of the total corrected net revenue of the States Members of the League would be approximately 5·8, corresponding to a contribution of 54 units in place of the 65 units at which she is now assessed. It will be noted that this calculation proceeds solely upon a statistical basis, and takes no account of the other important circumstances mentioned in this memorandum.

(6) The original principle on which the Réveilland scale was based has, however, been radically departed from in practice. Whereas this divergence from the original principle has not had the effect of reducing India's contribution, in the case of certain countries the number of units payable has been reduced materially in order to allow for the devastation suffered by them during the war. It is not suggested that these reductions are undesirable in themselves; but it may fairly be claimed that the same reasons which were considered as justifying them justify also reduction in cases where countries have had their real taxable capacity reduced, for other reasons, as a direct result of the war. The diminution of India's export trade for such reasons is a matter of common knowledge; India has, however, been granted no reduction to compensate for the effect which this reduction has had on her taxable capacity.

(7) India is relatively a poor country, as the statistics given above regarding her taxable capacity indicate. It has been necessary for her to make great sacrifices and great efforts in recent years in order to balance her budgets. This financial pressure has directed special attention to the leading items on the expenditure side of her budget, and questions have recently been raised in her Legislature as to the practical benefits which India derives from membership of the League, and as to whether these benefits are commensurate with the price paid for them. The facts summarised in this memorandum are well known in India, and have undoubtedly strongly influenced public opinion there. They have led to the firm conviction that her assessment has been fixed at a disproportionately high rate, and that without justification. Definite instructions have in consequence been given to the Indian Delegation to vote against the renewal of the provisional scale for the year 1925 unless the contribution of India is materially reduced. India considers that an assessment of 45 units (on the basis of the Postal Union scale) is equitable. She recognises, however, that that scale did not proceed upon a reasoned basis, and in view of the facts and arguments summarised in this memorandum, she considers that her claim to a reduction would be met, with reasonable equity, if her present contribution of 65 units were reduced to 50.

(8) India does not appear before the League as a suppliant for relief from the burden of an excessive contribution on the ground that she is unable to obtain the necessary funds to meet that demand. India has invariably recognised and met all her international obligations, however great the sacrifices which this may have entailed. Her claim is based solely on the ground of equity, and she comes before the League confident that the justice of that claim will be recognised, and that the Committee will recommend to the Assembly the reduction which she has suggested.

#### *ANNEX XI.—Interpretative Statement made by Sir C. Hurst at the Plenary Meeting of the First Committee on 30th September 1924, regarding the relation between Article 11 and para. 8 of Article 15 of the Covenant.*

It is the understanding of the British Delegation that the text now adopted of the amendments which it is proposed to add to Article 5 safeguards the right of the Council to take such action as it may deem wise and effectual to safeguard the peace of nations in accordance with the existing provisions of Article 11 of the Covenant. It does not confer any new powers or functions on either the Council or the Assembly. Those powers are already defined in the Covenant as it exists to-day, and are not added to by this next.

A cursory inspection of the text of the Covenant may leave in some minds a doubt as to the relationship between para. 8 of Article 15 of the Covenant and the powers possessed by the Council and by the Assembly under Article 11. It is desirable that we should all be clear upon this point. Where a dispute is submitted to the Council under Article 15 and it is claimed by one party that the dispute arises out of a matter exclusively within its domestic jurisdiction, para. 8 prevents the Assembly from making any recommendations upon the subject if it holds that the contention raised by the party is correct and that the dispute does in fact arise out of a matter exclusively within that State's jurisdiction. The effect of this paragraph is that the Council cannot make any recommendation in the technical sense in which that term is used in Article 15, that is to say it cannot make, even by unanimous report, recommendations which become binding on the parties in virtue of para. 6.

Unanimity for the purpose of Article 15 implies a report concurred in by all the members of the Council other than the parties to the dispute. Given the measure of support indicated, the report is one which the parties to the dispute are bound to observe, in the sense that if they resort to war with any party which complies with the recommendations, it will constitute a breach of Article 16 of the Covenant and will set in play the sanctions which are there referred to.

On the other hand, Article 11 is of different scope; firstly, it operates only in time of war or threat of war; secondly, it confers no right on the Council or on the Assembly to impose any solution of a dispute without the consent of the parties. Action taken by the Council or the Assembly under this Article cannot become binding on the parties to the dispute in the sense in which recommendations under Article 15 become binding unless they have themselves concurred in it.

#### APPENDIX III.

#### *ANNEX I.—Report of the First Committee on the proposals of the British Government for the amendment of Article 16 of the Covenant (Rapporteur: M. René Cassin).*

The First Committee has adopted the annexed report on the above subject presented to it by its sub-Committee. It recommends the Assembly to adopt this report and the resolutions set out therein.

##### REPORT BY THE SUB-COMMITTEE.

I. The sub-Committee had before it two amendments to Article 16 of the Covenant proposed by the British Government on 30th July 1923.

The first and the more important deals with Article 16, para. 1, of the Covenant.

As has been explained by the British Delegate, this proposal arises from the fact that the original text of Article 16, para. 1, of the Covenant dealing with economic penalties for violation of the Article was amended by the Second Assembly in 1921, but has continued in force in consequence of the amendment having failed to secure ratification by a sufficient number of Members of the League, and in particular by Powers represented on the Council. The proposal aims at securing the voting of a text which will command universal assent.

The original text is as follows :—

"Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, *the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State*, and the prevention of all financial, commercial or personal intercourse *between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.*"

The latter part of the text as altered by the amendment which has not come into force, has the following different wording :—

*"which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between persons residing in their territory and persons residing in the territory of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between persons residing in the territory of the covenant-breaking State and persons residing in the territory of any other State, whether a Member of the League or not."*

The new amendment presented by the British Government in 1923 was to alter the above part of the paragraph so as to read as follows :

*"which hereby undertake immediately to subject it to the severance of all trade or financial relations and to prohibit all intercourse, even if not between their nationals and the nationals of the covenant-breaking State, at least between persons resident within their territories and persons resident within the territory of the covenant-breaking State, and to prevent all financial, commercial or personal intercourse, even if not between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not, at least between persons resident within the territory of that State and persons resident within the territory of any other State, whether a Member of the League or not."*

The Fourth Assembly, however, by its resolution of 19th September 1923, decided for reasons of constitutional procedure and of expediency to adjourn the discussion of the above amendment to the Fifth Assembly (1924).

As the British Government has not at the Fifth Assembly withdrawn its proposal, the substance and the form of the proposal fail to be examined by the Assembly.

II. As regards the substance, the advantages of the British amendment hardly admit of dispute if comparison is made between the way in which it is drafted, the original text and the text as affected by the amendment which has not yet come into force.

By contemplating interruption of relations between "nationals" of the States which are defending and those of the State which has violated the Covenant, the original text of Article 16, para. 1, employed an expression which has been variously interpreted since 1920, it having been thought by some persons that it ought not to be taken in its literal sense. Moreover, adopting the normal sense of the word, the system of economic blockade set up in 1919 is seen to be at once incomplete and too rigid. The system is incomplete because the nationals of States imposing the blockade are allowed to continue economic relations with their co-nationals resident within the covenant-breaking State. It is too rigid and is in practice incapable of application when the blockade has to be applied by States bordering on the covenant-breaking States on whose hospitable soil nationals of such adjacent State reside in large numbers. How could there be a sudden suspension of the innumerable economic or personal relations which have been formed with the nationals of the State joining in the blockade? It is intelligible that the authors of the 1921 amendment should be anxious to see the latter enter rapidly into force in so far as it substitutes in regard to obligatory measures of blockade the simpler and more effective criterion of residence for the criterion of nationality.

The text voted in 1921, however, was itself not perfectly satisfactory, for it merely substitutes one system of economic blockade for a different system without attempting to combine the systems. At the Second Assembly, the French Delegate had pronounced in favour of obligatory combination of two kinds of prohibition founded, respectively, upon nationality and upon residence. His proposal was, however, withdrawn, and the discussion which preceded the final voting of the new text of Article 16, para. 1, was conducted in such conditions that it has been possible for some Members of the League to be uncertain whether, in the light of the new text, an optional combination of the two kinds of prohibition still remained possible for States desiring to take such a course, or, in other words, whether it was possible for the States defending the Covenant to issue, over and above the prohibition (which is obligatory) of relations between persons resident within the territory of the covenant-breaking State and those resident within their territory, an additional prohibition directed against relations between the nationals of the covenant-breaking State and their own nationals.

Such a combination, which there can be no question of rendering obligatory, ought to be possible wherever it can be organised in practice. It has the great advantage of rendering particularly complete the blockade of the State which has violated the Covenant by preventing nationals of the latter State residing in the territory of States not participating in the infliction of economic penalties from provisioning their country with war materials by nationals of a State participating in the blockade.

The British Government, anxious to remove the legitimate apprehension of some States which were not disposed to give a ratification which might thenceforth prevent them from having resort to any kind of prohibition except a prohibition based on the criterion of residence, has therefore taken the happy initiative of proposing a compromise which does not reopen discussion upon the principle of the amendment voted in 1921 and does not increase the obligations of the Members of the League as determined in 1921 or prejudice the traditional principle of humanity which protects the safety, material existence and domestic relations of the persons affected by prohibitions, but which gives the Powers above referred to the assurance that they will be acting in accordance with the spirit and with the terms of the Covenant

in adding if they deem it expedient, prohibitions based upon nationality to the prohibitions which they issue in application of the criterion of incidence against the covenant-breaking State.

The principle of this British proposal, which is to allow optional combination, has been the more readily welcomed by your sub-Committee in that a rigorous application of the economic and financial blockade contemplated by Article 16 of the Covenant is a method of assuming conscientious respect of the obligations of the Covenant which may make it possible to avoid recourse to force. The principle is calculated to remove all the obstacles which impeded ratification by certain Members of the League of the important amendment of 1921 and to expedite the final disappearance of the original text of Article 16, para 1, which still continues in force despite its unsatisfactory wording.

One comment only was made by the Swiss Delegation, and it has been considered that it should be inserted in this report. It should be fully understood that neither the text now proposed nor, for that matter, Article 16, para 1, of the Covenant as originally drafted, nor the amendment adopted in 1921, which has not come into force, prejudices in the slightest degree the question of what, *vis-à-vis* the other States, is the effect of a prohibition issued in a State against nationals or residents of a covenant-breaking State. It is for each such other State to determine for itself the effect within its territory of a prohibition of this kind issued by another State.

The sub-Committee has also taken formal note of a declaration made by the Delegate of Persia to the effect that that country, without seeking to escape from the obligations of the Covenant, was unable without very great difficulty to forbid relations between Persians resident in Persia and Persians resident in another State, and, accordingly, did not consider the new draft of Article 16, para 1, sufficiently satisfactory to enable it to adhere to the principle of the amendment of 1921.

III. Agreement having been obtained on the substance, it remained for the sub Committee to examine the form of the British amendment. On this point some judicious criticisms were made by the Netherlands Delegate. He pointed out that only things which were comparable could be compared with one another. To provide for a prohibition "even if not of relations between their nationals at least between persons resident" gave the appearance of taking the second possibility as covering a more restricted field than the first.

It is for this reason that the sub-Committee has agreed upon a draft which is less elliptical and which sets out clearly both what it is that the Members of the League are obliged purely and simply to do in the matter of economic penalties, and what it is that they may do in addition for motives of expediency of which they are naturally themselves the judges.

IV. The British Government put forward in 1923, and has maintained in 1924, a second proposal—namely, the suppression of the words "in such case" which appear at the beginning of Article 16, para 2, of the Covenant as originally drafted. The reason given is that these words become redundant so soon as this paragraph has become para 3 of the article through the entry into force of the amendments adopted by the Second Assembly.

The sub Committee taking into account the fact that the draft protocol which the First and Third Committees are examining, in execution of the Assembly's resolution of 6th September 1924, is of a character which may affect the entry into force of the amendments adopted in 1921 inserting the three new paragraphs after the first paragraph of Article 16, has, in agreement with the British Delegation, reached the conclusion that it should be proposed to the First Committee to adjourn discussion of the second British proposal until a subsequent Assembly.

## *ANNEX II.—Report of the First Committee on the Proposal of the Netherlands Delegation to amend Rule 27 of the Rules of Procedure of the Assembly. (Rapporteur : M. Rolin, Belgium.)*

The First Committee approves the annexed report of its sub-Committee and recommends the adoption of the report by the Assembly.

### *REPORT OF THE SUB-COMMITTEE*

I. The sub-Committee has carefully examined the Netherlands proposal, which was in the following terms—

"There shall be added to Rule 27 of the Rules of Procedure of the Assembly a second paragraph worded as follows—

"Provided that decisions of the Committees shall be taken by the vote of the majority of the Members of the League represented at the meeting."

The Netherlands Delegate informed the sub Committee that his Government's intention was that the amendment should be purely explanatory, and should merely legalise the existing practice of the Committees.

Your sub Committee quite realised that the proposed interpretation was correct. Unanimity at plenary meetings of the Assembly is only necessary for the adoption of resolutions representing genuine decisions which are not connected with procedure and are binding on the States. Committee reports do not fall within this category, since they are merely a preliminary and provisional stage of the resolutions finally adopted by the Assembly.

Although the ultimate vote of the Assembly must be unanimous, it does not follow that majority votes in Committees can be of no effect. Indeed, experience shows that minorities on Committees, while endeavouring to secure the acceptance of their own resolutions, do not, as a rule, attempt to prevent the adoption of other resolutions if the majority are in favour of these.

It has occurred to your sub-Committee, however, that in some cases the opposition of a minority in a Committee to a resolution, which cannot be adopted at a plenary meeting of the Assembly except by a unanimous vote, may render it useless to submit the resolution actually voted by the Committee to the Assembly without amendment. It would be inexpedient in such cases not to allow Committees to reconsider their decisions and, if the majority thinks it desirable, to amend the resolutions already voted with a view to meeting to some extent the objections raised.

For this reason, your sub-Committee is of opinion that it would be preferable not to bind the Committees by a rigid rule, as proposed by the Netherlands Delegation, but to allow them to continue to use the elastic procedure which has hitherto been followed.

The Netherlands Delegate has accepted this view.

II. The sub-Committee then considered a proposal put forward by the Spanish Delegation to amend Rule 27.

This proposal was to the effect that, if the amendment put forward by the Netherlands Delegation was adopted, the new second paragraph of Rule 27 of the Rules should be completed by the addition of the following further paragraph:

"At the request of one or more members of the Committee who have not voted in favour of a report adopted by a majority, the dissentient opinion, with a statement of the reasons for it, shall be communicated to the Assembly at the same time as the report."

As the Netherlands Delegate had withdrawn his amendment, the Spanish additional amendment was also withdrawn.

The sub-Committee was of opinion that the *rappoportu* might be relied upon to give a fair statement of the dissentient opinions of one or more members, if asked by them to do so, moreover, the minority would have a check on this statement when the report came to be adopted.

III. The Chinese Delegate on the sub-Committee proposed, as an amendment to the Netherlands proposal, that the consent of any country mentioned in the resolution, or whose interests are principally or mainly affected by such a resolution, must first be obtained to the system of majority voting.

In view of the withdrawal of the Netherlands proposal, the Chinese Delegate also withdrew his proposal.

The sub-Committee was of opinion that the Committees might be relied upon, before deciding whether a majority resolution should be submitted to the Assembly as voted, to give special attention to the nature of any objections raised by States in the position described in the Chinese Delegate's proposal.

IV. Lastly, your sub-Committee had before it an additional amendment, proposed by the French Delegation, to the Netherlands Delegation's amendment:

"Any delegate unable to attend a meeting may be represented at such meeting by the delegate of another Member of the League. The same delegate cannot vote for more than two Members."

In view of the withdrawal of the Netherlands proposal, the French Delegation also withdrew its additional amendment.

*Conclusion*.—The sub-Committee proposes that the Committee ask the Assembly to adopt the terms of the present report, and to place on record its decision that there is no necessity for any amendment to Rule 27 of the Rules of Procedure.

### ANNEX III. (v)—Report of the Second Committee on International Loan for Greek Refugees; and other work of the Financial Committee. (Rapporteur: M. Sugimura.)

#### I.—THE SETTLEMENT FOR AN INTERNATIONAL LOAN FOR GREEK REFUGEES

In my report on the work carried out under the auspices of the Financial Committee, I must give an account of a task which, although it was humanitarian in origin, and although its success depended on its retaining its purely charitable character, yet developed, in the course of the year which has just elapsed, into a technical and financial question. I refer to the efforts to solve the immense problem of establishing in Greece the refugees from Asia Minor.

When the work of the Fourth Assembly came to an end in 1923, the Council approved and Greece signed—after negotiations with the Financial Committee—a Protocol creating a Refugee Settlement Commission and containing provisions for facilitating an international loan to supply the necessary funds for the settlement of these refugees.

In order to enable you to realise the importance of the work which has been accomplished, it will suffice if I give you a general outline of the situation as it was in the spring of 1923 and compare it with the present position and the results achieved in the settlement of the refugees. I will then explain the means by which it has been possible to effect so great a change in the course of a single year.

In March or April 1923, following upon the events in Asia Minor, an immense multitude of refugees, estimated at over 1,000,000, fleeing from Asia Minor, scattered over Thrace, Macedonia and Old Greece.

The streets of Athens were thronged with them. Disease, and, in particular, malaria, had already begun its deadly work upon them. For Greece they constituted a danger of social trouble and of bankruptcy.

From the very outset, the Greek Government undoubtedly did all that was humanly possible to cope with the distress. Charitable societies were lavish in their help. Dr Nansen, the High Commissioner of the League of Nations, to whose work the Fourth Assembly paid a striking tribute, devoted his energies to co-ordinating all the benevolent efforts for the transport of the refugees, and, under his direction, an experiment on a small scale, which was to serve as a model, resulted in the formation of several agricultural colonies in Western Thrace. But it became clear that no private enterprise, no system of charitable assistance, no degree of devotion, however great, could succeed in solving in an adequate fashion the overwhelming problem arising out of the influx of these multitudes.

Since this date, there has been a most satisfactory change in the position. In the country districts a large number of houses have been constructed on land granted to the Commission by the Hellenic Government. These houses were ordered by the 1,000 and built according to pattern. The refugees were provided with seed, forage, ploughs, draught animals, and even some agricultural machinery. Auxiliary industries, such as that of the blacksmith and wheelwright, began to grow up in connection with these colonies. The Hellenic Government placed at the disposal of the Commission 500,000 hectares of land, much of which was exceedingly fertile. Tobacco plantations have been started in various districts and have already been the source of considerable profit to the planters. It may be estimated that more than half the families of agricultural refugees have now a home, not, it is true, one which is provided with comforts, but such at least as justifies the hope that all these families may not only be self-supporting in the near future but may be able to refund the sums which have been advanced to them.

In the neighbourhood of certain towns—for example, at Volo, and near Salonika—urban colonies have been formed. In the immediate neighbourhood of Athens, 16,000 houses are already inhabited. It is proposed to start certain industries, such as the manufacture of carpets, in which the Greeks of Asia Minor excel, and which it is hoped to revive near Athens.

There are, of course, still many thousands of refugees to be settled, but the work is at present well advanced. The end is clearly in sight, and the experience of last year has supplied the knowledge of the right means to reach it. In short, the complete solution of the problem is assured, subject to certain conditions.

How has this settlement been effected, and what have been its main features?

Throughout the work, private charity has taken the initiative. It may be said to have served as a dyke under the protection of which it has been possible to construct lasting foundations for the settlement of the refugees in productive occupations. In the second place, after charity, it is the technical work of the Refugee Settlement Commission, supported by the Hellenic Government's organisations, which has made possible the methodical co-ordination of effort which was necessary in order to ensure success.

The Refugee Commission, created under the terms of the Protocol of 29th September 1923, is composed of four members, of whom two are Greeks and two are appointed by the Council of the League of Nations, viz., Mr. Henry Morgenthau, Chairman, formerly United States Ambassador, and Mr. Campbell. The Commission submits a periodical report on its work to the Council and to the States Members of the League. You will have been able to obtain from these reports an idea of the complex character of the work which has been undertaken and of the competence with which it has been carried out, with the assistance of the Hellenic authorities.

The Hellenic Government has expended a great deal of money on the settlement of the refugees, but in the spring of 1923 it was forced to face the necessity of obtaining credit, and therefore made its first representations to the League of Nations with a view to securing the moral support of the latter and the technical assistance of its Financial Committee.

In May 1923, the Committee sent one of its members to Athens, and it was as a result of the Committee's enquiries that the Protocol was drawn up and signed. Even before September 1923 the Bank of England, placing its confidence in the signature of the Protocol before it had actually taken place, advanced 1,000,000*l.* to the National Bank of Greece. In 1924 it advanced another 1,000,000*l.*, and with these 2,000,000*l.* and the 1,000,000*l.* given by the Greek Government the Refugee Settlement Commission has been able to carry out its work.

The Protocol authorises Greece to issue an international loan up to a maximum of 10,000,000*l.*, as at present fixed; this loan is to be devoted to refugee settlement. Greek bankers have undertaken to subscribe 25 per cent. of the amount.

The Financial Committee has carefully considered what securities should be assigned to the loan. It has decided upon immovable securities, in the form of the land and houses occupied by the refugees; movable securities representing the repayment by the refugees themselves of the advances made to them; and, last and most important, fiscal securities, to be assigned by the Greek Government to the service of the loan (Customs, tobacco, liquor duties, &c.). The International Financial Commission established at Athens many years ago will be entrusted with the administration of these revenues, and will transfer them, together with the yield from the loan, to the Settlement Commission, which will expend them in the interests of the refugees. Further, in order to secure the loan for the refugees, Greece has undertaken not to pledge her other revenues, except upon certain conditions specified in the Protocol.

The above is an outline of the system laid down in the Protocol signed on 29th September 1923, which has lately, as the outcome of further negotiations between the Financial Committee and the Greek Government, been amended so as to meet certain technical requirements and to take account of a recent improvement in the financial position of Greece.

In view of the political situation and the general position of the money market, the Hellenic Government has not yet been able to issue the important international loan for which the Protocol provides. We have seen above how, this notwithstanding, the Government's own advances and those obtained from the Bank of England have enabled the Settlement Commission to operate during the past year. The financial machinery, therefore, is already in existence, and the Financial Committee is of opinion that the Greek Government can offer adequate security for a loan of 10,000,000*l.* Thus the League of Nations has done all in its power to assist the Greek Government in overcoming the serious difficulties in which it was involved by the migration from Asia Minor. Thanks to the League's intervention, there is reason to hope that the refugees, whose migration formerly constituted a danger for their country, may be settled on Greek soil and may operate as a new factor in the prosperity of their country.

The Second Committee proposes to the Assembly the adoption of the annexed draft Resolution (*see* page 20).

## II.—OTHER WORK OF THE FINANCIAL COMMITTEE.

The work of the Financial Committee covers so wide a field that the Second Committee has found it necessary to subdivide it, for purposes of study, to an increasing extent every year. Thus, in 1923, a special *rapporteur* dealt with the reconstruction of Austria and, in 1924, the Second Committee has already heard M. Cavazzoni report on the work done by the Financial Committee in the matter of the reconstruction of Hungary and M. Georges Bouret give details regarding the progress accomplished in the financial reconstruction of Austria and the latest agreements concluded respecting the modification and eventual suppression of the system of control.

I must, therefore, begin by reminding you of my colleagues' valuable reports, and of the special report submitted by me on the scheme for an international loan for *Greek Refugees*. In the present communication I will, therefore, only speak of the Economic and Financial Organisation's work of a theoretical or general character and of one of the special problems in respect of which the Financial Committee has contributed to the reconstruction of Europe, namely, the finances of the Free City of Danzig.

In the supplementary report of the Council to the Assembly, you will have found information regarding the publications of the Economic and Financial Organisation. You are familiar with its various annual memoranda: on currency, on banks of issue and on public finance. Each year these

memoranda set forth, in a concise form and according to a carefully considered plan, the principal data regarding the financial situation of all the countries of the world. They are indispensable manuals not only to economists and students, but even more to statesmen, bankers, &c., and to all who wish to form a correct idea of the development of the great questions which are of special concern to the modern world, viz., the exchanges, international loans, budgets, banks of issue, &c.

The *Monthly Statistical Bulletin* continues to furnish figures enabling the reader to grasp the general trend of economic conditions throughout the world.

I must make special mention of the fact that this year, in pursuance of the resolutions of the Second and Third Assemblies, the Economic and Financial Organisation has produced a memorandum on the balance of payments and on the foreign trade balance of the various countries. It was at the instance of the Second Committee that the Third Assembly recommended the thorough consideration of these questions. The investigations concerning the balance of payments are still only in the experimental stage, but I consider that the results which have already been attained fully justify the initiative taken in 1922.

All these publications have been very favourably received by the technical press throughout the world.

In pursuance of a resolution adopted by the Brussels Conference and endorsed and extended by the Geneva Conference, the Financial Committee, as you will remember, undertook the study of the problem of double taxation and fiscal evasion. The Committee has left this question in the hands of highly qualified experts, who are chief inspectors of taxes in seven European countries, chosen among the most important or the most representative of the different types of fiscal legislation.

These experts held one meeting before the Fourth Assembly for a preliminary exchange of views. They held two sessions between the Fourth and Fifth Assemblies and have made great strides in the study of the questions submitted to them. You are all aware of the complex nature of the considerations involved. It is desire to find the basis of an agreement between the different States on points relating not only to the financial and fiscal policy, but also, in many cases, to the economic policy of each country. On the one hand, we have wealthy creditor nations and, on the other, countries in process of development and in search of capital; while in contrast to highly developed fiscal organisations in which the principle of a personal tax receives full application, we have administrations conceived on entirely different lines, in which the "impost taxes" or "real taxes" play an important part side by side with personal taxes.

As regards fiscal evasion everyone knows how difficult it is to deal effectively with this evil from which the budgets of many countries suffer. The flight of capital, whatever the cause may be, has so far defied every attempt to stop it. In this connection I need only remind you of the conclusions reached by the Second Committee of the Reparation Commission.

Fully realising the importance, the Government experts of the League have continued the study of the problems before them in cordial co-operation and in the most devoted spirit.

As regards double taxation, they have succeeded in drawing up a text covering the whole of the problem and setting forth the principles on which they have agreed. They successively examine the general immunity and the "real" or "salaried" taxes and give a definition of fiscal domicile for persons and corporations. This text cannot yet, however, be communicated to the Assembly. The experts wish, in the first place, to revise the draft, and, in the second, to prepare a general report by way of commentaries. Moreover, from the outset they made it clear that there must be an intimate connection between the solutions adopted for the two problems of double taxation and fiscal evasion. Hence, as the study of the latter has not yet been concluded, they have not considered it advisable to publish the text regarding the former problem.

You will be interested to hear that, in the course of their last session, the Government experts received a delegation from the International Chamber of Commerce, which is also endeavouring to find a remedy for the evils resulting from differences in fiscal legislation.

As I indicated above, among the growing number of European countries which have availed themselves of the advice, the labours and the support of the Financial Committee, there is only one with which I propose to deal in the present Report, viz., the Free City of Danzig.

Last year, when the Second Committee was reviewing the work of the Financial Committee, negotiations were in progress between the Free City of Danzig and Poland with a view to the conclusion of an agreement on the currency question. This arrangement was signed on 22nd September 1923, and the Danzig currency reform was carried out at the end of the year on the lines recommended by the Financial Committee.

You are familiar with the difficult position in which the Free City of Danzig was placed, owing to the fact that, while its principal economic relations were with Poland, it was obliged to use the German mark, the collapse of which was becoming more and more rapid in 1923. In a law dated 20th October 1923, the Senate of Danzig introduced a currency whose unit was the gulden, equivalent to one-twenty-fifth of a pound sterling. A month later the final reform was effected, and the gulden became the sole unit of exchange in the territory of the Free City of Danzig and sole legal tender as from 1st January 1924. A bank of issue was established, under the name of the Bank of Danzig, with a capital of seven and a half million gulden, about five and a half millions of which were subscribed in Danzig and the remainder by Polish financial groups. The Bank began operations in March 1924; its Statutes were drawn up on the same general lines as those of the new banks of issue in Austria and Hungary. When, quite recently, the President of the Danzig Senate came and gave the Financial Committee an account of the results of the great currency reform, he was able to state that the reform had been a complete success, and had been accomplished with a minimum of disturbance in the economic life of the country. The gulden has taken rank among the most stable of the European currencies.

The experience which I have just used will no doubt remind you of the familiar features characterising the work of reconstruction so successfully undertaken by the Financial Committee in Austria and Hungary. With the differences due to local conditions, you will find that this body of experts has applied the same general principles as were laid down by the Brussels Conference. The competence and prestige of the members of the Financial Committee have increased with their experience, and have kept pace with the success which has crowned their patient efforts. The Second Committee proposes

its importance for the study of the various questions before the Committee, we cannot but note with satisfaction the results which have already been achieved and approve the programme which has been laid down for the current year.

The Second Committee desires to express its gratitude to the members of the Economic Committee for the zeal and devotion they have shown in the fulfilment of the tasks entrusted to them—tasks which have often been delicate and always difficult, and the performance of which has so far yielded practical results in the very wide field covered.

S. During the discussion on the economic work of the League by the Second Committee, the delegate of Italy, M. Cavazzoni, submitted a resolution to the effect that the Council should be requested to entrust the Economic Committee with the task of studying the expediency and methods of action having for its object the abolition of import and export prohibitions and restrictions.

This proposal gave rise to a very interesting exchange of views, which showed the general desire for progress in this special domain, which—as the Economic Committee has already recognised—comes into the sphere of the equitable treatment of commerce provided for in Article 23 (e) of the Covenant.

The Second Committee was of the unanimous opinion that the Economic Committee is to-day the only international body possessing the large competence and the prudent methods which are capable of achieving practical success in this matter, which is as delicate as it is complicated, and of taking into account all the interests involved and the great difficulties, some of which have been specially brought to light by various delegates in the course of the discussions.

#### *ANNEX IV.—Report of the Second Committee on the Work of the Committee on Intellectual Co-operation. (Rapporteur : Professor Gilbert Murray.)*

The Second Committee has received and carefully considered the work accomplished by the Committee on Intellectual Co-operation between the Fourth and Fifth Assembly.

This work is set out in the Minutes of the Third and Fourth Sessions of this Committee (C. 3. M. 3 1924, A. 20 1924), the Committee's Report to the Council and to the Assembly (A. 31 1924), the Supplementary Report of Professor Ruffini on Scientific Property (A. 29 1924), the Minutes of the Committee of Experts on the Exchange of Publications (A. 21 1924), and the Report of that Committee to the Council and to the Assembly (A. 19 1924).

In studying these documents the Second Committee has been able to form an idea of the valuable work carried out by the Committee on Intellectual Co-operation under its distinguished Chairman, M. Henri Bergson. The task which the Committee has to accomplish is by no means an easy one. It has to attempt to find remedies for evils from which practically the whole intellectual world has been suffering since the war, and to stimulate and establish intellectual co-operation between nations. Its material resources are very limited, and it has been bound to confine its action to co-ordinating and organising what is already in existence, taking care not to interfere in matters which exclusively concern the various Governments and to avoid overlapping. The immediate result of the enquiry which it has undertaken with a view to ascertaining the present position of intellectual life has been to show what countries are suffering most acutely and are most in need of assistance. As a result of this enquiry, National Committees have been set up in every country, their duty being to co-operate with the International Committee and assist it in its task. Although the life of the intellect has been severely threatened sufficient vitality remains, even in those countries which have suffered most, for organisations to be formed capable of continuous effort. The immediate result of the first direct contact established between the Committee on Intellectual Co-operation and the representatives of the National Committees has been to enable the persons actually concerned to make the complaints of their respective countries known. By establishing relations between the Committees in countries more fortunately situated or less affected by the aftermath of war and the Committees of less fortunate countries, the Committee has had the satisfaction of being able to afford some relief.

Books and publications have been sent to many institutions in Central Europe, and quite recently its appeal on behalf of the library of the University of Tokio has met with a response in many countries. Other resolutions have recently been adopted in regard to the exchange of publications, interchange of professors and other matters, from which much good is expected to result.

One of the most important questions considered by the Committee on Intellectual Co-operation has been that of scientific property. A discovery which can be utilised by industry and which enriches both the holder of the patent and the manufacturer who exploits it has, in the past, brought no remuneration to the discoverer. After very detailed investigations, the Committee instructed one of its members, Senator Ruffini, to draw up a draft Convention which, if it is applied, will remove this great injustice. The draft, in accordance with a resolution adopted by the Fourth Assembly, has been sent to the various Governments for examination, has been carefully considered by a large number of Governments, which have sent replies. Almost all of them recognise the justice of the principle. In order to harmonise the objections raised with the solutions proposed in Senator Ruffini's draft, the Committee on Intellectual Co-operation has requested the Assembly to approve the convening of a Committee of Experts, composed of scientists, industrialists and persons in touch with the views of their Governments, in order to study these objections, consider them and prepare a new draft Convention which might be acceptable to the Governments. It is in the domain of analytical bibliography that the Committee has obtained one of its most satisfactory results. After a careful study of the question, in collaboration with the most highly qualified experts, it has succeeded in co-ordinating analytical bibliography in physics and its ramifications, and it hopes to obtain similar co-ordination in other branches of science, particularly that of the economic sciences. The bibliography of Greco-Latin antiquity and the bibliography of biology may follow later.

Still in the domain of bibliography, the Committee on Intellectual Co-operation, desirous of perfecting existing methods before establishing new ones—thus acting in accordance with the decisions of the Council and the Assembly—has proposed a draft agreement with the International Institute of Bibliography in Brussels. The Second Committee was extremely glad to note that collaboration has been established with an institution which has rendered, and which will undoubtedly render in future, much assistance to research workers and men of learning, and has approved this action.

The Committee of Experts, which met for the purpose of improving the Convention of 1886 for the Exchange of Publications, has come to the conclusion that this Convention should not be modified. It would be preferable to add a Protocol allowing the States to adhere partly to the original Conventions. The draft Convention drawn up by this Committee invites the signatories to accept the exchange of scientific and literary publications which are indispensable to men of learning in all countries. The Committee of Experts attaches the greatest importance to the signature of this Convention. Its effect would be to place at the disposal of men of learning a full documentation which they would be unable themselves to obtain, particularly in countries with a depreciated exchange.

The Committee has also adopted Mr Hulberg Wright's resolution concerning the compiling by the National Committees and by persons best qualified to do so, of lists of the most important books printed throughout the world. These lists will be published by the Committee on the entire responsibility of their compilers, and will be placed at the disposal of a public of average culture which has hitherto, by force of circumstances, been unable to obtain information concerning intellectual production in foreign countries. The *Index Bibliographicus* will be published this year. The Committee on Intellectual Co-operation hopes soon to obtain, in collaboration with the London Institute of Historical Research precise information concerning the conditions under which the information which it proposes to publish may be obtained by workers in the different archives throughout the world.

The Second Committee is glad to note, with the Committee on Intellectual Co-operation, that its International University Information Office and the *Bulletin*, which is the origin of that Office, have been welcomed in university circles. The Committee is fully aware of the defects of the Office and the *Bulletin*, but it is convinced that they will, in close touch with the National University Offices, eventually render great services to university circles. The *Bulletin*, which has hitherto appeared four times a year, will be published every two months as from next year. In view of the information received from all parts, it may become a faithful mirror of international relations in university life and a factor in the forging of links between schools of advanced studies.

Acting upon the proposals of the Spanish Government in regard to the equivalence of degrees and the co-ordination of studies in the different universities the Committee has passed a number of resolutions which it would wish to have brought to the notice of the Governments in order that the nations, living learned to know one another better, should live side by side in closer harmony.

The recommendations concerning the equivalence of degrees will, in the opinion of the Committee, eventually prove to be of great assistance in promoting closer relations between students in all countries and rendering them more ready to accept the ideas of peace and justice than their predecessors. Noting with pleasure that a large number of States have proposed to introduce into their school curriculum teaching concerning the League of Nations and its aims, the Second Committee suggests that the Assembly should request the Governments to take further steps with a view to disseminating as far as possible among young people a knowledge of the ideals of the League of Nations.

The Committee proposes to publish information concerning methods of teaching in the various countries and to place summary reports at the disposal of those interested in the matter.

In order to facilitate relations between the different universities and the exchange of professors as well as of students, the Second Committee adopts the recommendations of the Committee on Intellectual Co-operation in regard to the granting of travelling facilities and scholarships, not only to groups of students, but also to professors and men of letters going abroad for some specific scientific purpose.

Quite recently, at its last meeting, the Committee realising the increasing importance of the cinematograph in modern life and its value as a factor in artistic and intellectual education, has included this subject in its agenda. It decided that it would be desirable to draw up a catalogue of the scientific films already in existence.

Being anxious that the various civilisations should be represented, the Committee, which now, owing to the efforts of the Council, includes a Latin-American representative and a representative of German learning, drafted regulations dealing with correspondents who, should the need arise would be appointed for specific purposes by the Committee itself.

In the course of its discussions, the Committee examined two proposals, one submitted by Count Apponyi, for Hungary concerning an appeal on behalf of Hungarian intellectual institutions similar to that which the Assembly made last year on behalf of Austria, and the others submitted by the Romanian Delegate, M. Pascariu, concerning the examination of a very interesting scheme for a loan for intellectual purposes.

The Second Committee devoted much time to discussing the offer which the French Government has made to the Committee on Intellectual Co-operation, to found an International Institute of Intellectual Co-operation in Paris.

The French Government, realising how frequently the Committee was prevented by lack of funds from pursuing its activities and making its influence more strongly felt, declared itself ready, in response to the appeal of the Committee on Intellectual Co-operation, to place at the disposal of the Committee an Institute and a sum of money which the Committee should itself administer on the lines it had followed in its past work.

The Council accepted the offer of the French Government in principle and requested the Assembly to give its opinion on three special points—the powers and duties of the new Institute, the administrative and judicial conditions under which it would work, and the relations between the proposed Institute and existing international institutions of an intellectual character such as the Union of International Associations, the Office international de Bibliographie, the International Research Council and the International Academy of Man, the headquarters of which are at Brussels, and whose autonomy it is necessary to maintain.

The Second Committee expresses the highest appreciation of the generosity of the French Government and has given its most careful attention to the points on which the Council requested its opinion, with a view to reaching some solution by which the international character of the Institute might be absolutely safeguarded.

It is of the opinion that this institution, the powers and duties of which will be in conformity with the principles laid down by the Committee on Intellectual Co-operation, should be such as to avoid any overlapping. In its programme and in the choice of its staff, it must be absolutely international. Its administration will be entrusted to the Committee on Intellectual Co-operation itself, which may delegate its powers to a Committee composed of persons of different nationalities—both members of the Committee